



Kenai City Council - Regular Meeting

August 21, 2024 – 6:00 PM

Kenai City Council Chambers

210 Fidalgo Avenue, Kenai, Alaska

www.kenai.city

****Telephonic/Virtual Information on Page 3****

Agenda

A. CALL TO ORDER

1. Pledge of Allegiance
2. Roll Call
3. Approval of the Agenda and Consent Agenda (*Public comments on Consent Agenda Items limited to three (3) minutes per speaker; thirty (30) minutes aggregated*)

All items listed with an asterisk () are considered to be routine and non-controversial by the council and will be approved by one motion. There will be no separate discussion of these items unless a council member so requests, in which case the item will be removed from the consent agenda and considered in its normal sequence on the agenda as part of the General Orders.

B. SCHEDULED ADMINISTRATIVE REPORTS

C. SCHEDULED PUBLIC COMMENTS (*Public comments limited to ten (10) minutes per speaker*)

D. UNSCHEDULED PUBLIC COMMENTS (*Public comments limited to three (3) minutes per speaker; thirty (30) minutes aggregated*)

E. PUBLIC HEARINGS

1. **Ordinance No. 3427-2024** - Increasing Estimated Fiscal Year 2024 Revenues and Appropriations in the General Fund - Police Department and Accepting a Grant from the Alaska High Intensity Drug Trafficking Area for Drug Investigation Overtime Expenditures. (Administration)
2. **Ordinance No. 3428-2024** - Increasing Estimated Revenue and Appropriations in the Airport Operations Facility Capital Project Fund, Accepting a Grant from the Federal Aviation Administration and Awarding a Construction Agreement for the Kenai Municipal Airport Aircraft Rescue and Fire Fighting Facility Rehabilitation Project. (Administration)
 - **Ordinance No. 3428-2024 Substitute** - Increasing Estimated Revenue and Appropriations in the Airport Operations Facility Capital Project Fund, Accepting a Grant from the Federal Aviation Administration and Awarding a Construction Agreement for the Kenai Municipal Airport Aircraft Rescue and Fire Fighting Facility Rehabilitation Project. (Administration)
3. **Ordinance No. 3429-2024** - Increasing Estimated Revenues and Appropriations in the Airport Improvements Capital Project Fund and Accepting a Grant from the Federal Aviation Administration for the Kenai Municipal Airport Mobile Test Foam System Equipment Purchase. (Administration)

- [4.](#) **Resolution No. 2024-38** - Authorizing a Service Agreement for the Fiscal Year 2025 Street Light Repair and Maintenance with Utility Locate Services. (Administration)
- [5.](#) **Resolution No. 2024-39** - Authorizing a Service Agreement for the Fiscal Year 2025 and Fiscal Year 2026 Water Treatment Plant and Wastewater Treatment Plant Dumpster Services. (Administration)
- [6.](#) **Resolution No. 2024-40** - Authorizing a Contract Award to Supply Operational Chemicals for the City's Water Treatment and Wastewater Treatment Facilities. (Administration)

F. **MINUTES**

- [1.](#) *Regular Meeting of August 7, 2024. (City Clerk)

G. **UNFINISHED BUSINESS**

H. **NEW BUSINESS**

- [1.](#) ***Action/Approval** - Bills to be Ratified. (Administration)
- [2.](#) ***Action/Approval** - Authorizing Submission of Comment to NOAA to Determine Whether to List Gulf of Alaska Chinook Salmon Under the Endangered Species Act. (Knackstedt)
- [3.](#) ***Action/Approval** - Authorizing a Letter of Support of the Kenai Watershed Forum's Proposal for WaterSMART Cooperative Management Program Phase I Funding. (Administration)
- [4.](#) ***Action/Approval** - Non-Objection to the Large Resort Endorsement of a Beverage Dispensary Tourism Liquor License for Salamatof Cannery Lodge, LLC - License No. 6111. (City Clerk)
- [5.](#) ***Ordinance No. 3430-2024** - Accepting and Appropriating a Meals on Wheels of America Grant in Partnership with DoorDash for the Kenai Senior Center Meals on Wheels Delivery Program. (Administration)
- [6.](#) ***Ordinance No. 3431-2024** - Increasing Estimated Revenues and Appropriations in the General Fund, Land Administration Department for the Purchase of Survey Services to Subdivide City of Kenai Parcel 04901022. (Administration)

I. **COMMISSION REPORTS**

1. Council on Aging Commission
- [2.](#) Airport Commission
- [3.](#) Harbor Commission
4. Parks and Recreation Commission
5. Planning and Zoning Commission
6. Beautification Commission

J. **REPORT OF THE MAYOR**

K. **ADMINISTRATION REPORTS**

- [1.](#) City Manager
2. City Attorney
3. City Clerk

L. ADDITIONAL PUBLIC COMMENTS

1. Citizens Comments (*Public comments limited to five (5) minutes per speaker*)
2. Council Comments

M. EXECUTIVE SESSION**N. PENDING ITEMS****O. ADJOURNMENT****P. INFORMATION ITEMS**

The agenda and supporting documents are posted on the City's website at www.kenai.city. Copies of resolutions and ordinances are available at the City Clerk's Office or outside the Council Chamber prior to the meeting. For additional information, please contact the City Clerk's Office at 907-283-8231.

Registration is required to join the meeting remotely through Zoom. Please use the following link to register:

<https://us02web.zoom.us/meeting/register/tZ0pdeyorz4jGtai8OMpkgP4DZ9m1Z23438p>



Sponsored by: Administration

**CITY OF KENAI
ORDINANCE NO. 3427-2024**

AN ORDINANCE INCREASING ESTIMATED FISCAL YEAR 2024 REVENUES AND APPROPRIATIONS IN THE GENERAL FUND - POLICE DEPARTMENT AND ACCEPTING A GRANT FROM THE ALASKA HIGH INTENSITY DRUG TRAFFICKING AREA FOR DRUG INVESTIGATION OVERTIME EXPENDITURES.

WHEREAS, the Kenai Police Department assists the regional drug task force on initiatives with funding availability through the Alaska High Intensity Drug Traffic Area (AK HIDTA), which is funded through a Federal Government Appropriation; and,

WHEREAS, funding through AK HIDTA is available to reimburse certain overtime expenditures for the Kenai Police Officers that assist the regional drug task force or directly participate in the task force on those HIDTA initiatives; and,

WHEREAS, the overtime expense that was eligible for reimbursement from April of 2024 through the end of June, 2024 was \$10,538.10; and,

WHEREAS, overtime for these additional expenditures for drug investigations were not budgeted and the Department is requesting appropriation into the FY24 overtime budget equal to the amount of the AK HIDTA funding.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, AS FOLLOWS:

Section 1. That the City Manager is authorized to accept these funds from the AK HIDTA in the amount of \$10,538.10 and to expend those funds to fulfill the purpose and intent of this ordinance

Section 2. That the fiscal year 2024 estimated revenues and appropriations be increased as follows:

General Fund:

| | |
|-------------------------------|--------------------|
| Increase Estimated Revenues – | |
| Federal Grants – Police | <u>\$10,538.10</u> |

| | |
|---|--------------------|
| Increase Appropriations – Police Department - | |
| Overtime | <u>\$10,538.10</u> |

Section 3. Severability: That if any part or provision of this ordinance or application thereof to any person or circumstances is adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part, provision, or application directly involved in all controversy in which this judgment shall have been rendered, and shall not affect or impair the validity of the remainder of this title or application thereof to other persons or circumstances. The City Council hereby declares that it would have enacted the remainder of this ordinance even without such part, provision, or application.

Section 4. Effective Date: That pursuant to KMC 1.15.070(f), this ordinance shall take effect immediately upon enactment.

ENACTED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, THIS 21ST DAY OF AUGUST, 2024.

Brian Gabriel Sr., Mayor

ATTEST:

Michelle M. Saner, MMC, City Clerk

Approved by Finance:



Introduced:
Enacted:
Effective:

August 7, 2024
August 21, 2024
August 21, 2024



KENAI

City of Kenai | 210 Fidalgo Ave, Kenai, AK 99611-7794 | 907.283.7535 | www.kenai.city

MEMORANDUM

TO: Mayor Brian Gabriel and Kenai City Council

THROUGH: Terry Eubank, City Manager

FROM: David Ross, Police Chief

DATE: July 25, 2024

SUBJECT: **Ordinance No. 3427-2024 - Increasing Estimated Fiscal Year 2024 Revenues and Appropriations in the General Fund - Police Department and Accepting a Grant from the Alaska High Intensity Drug Trafficking Area for Drug Investigation Overtime Expenditures.**

The Kenai Police Department participates in the regional drug task force. Between April of 2024 and June of 2024 certain overtime worked in conjunction with the regional drug task force was eligible for reimbursement through the Alaska High Intensity Drug Trafficking Area (AK HIDTA), which receives its funding through Federal appropriation. The Police Department requested reimbursement for \$10,538.10 in overtime expenditures.

I am respectfully requesting consideration of the ordinance accepting and appropriating the grant funds into the FY24 budget for the purpose they were intended.



Sponsored by: Administration

**CITY OF KENAI
ORDINANCE NO. 3428-2024**

AN ORDINANCE INCREASING ESTIMATED REVENUE AND APPROPRIATIONS IN THE AIRPORT OPERATIONS FACILITY CAPITAL PROJECT FUND, ACCEPTING A GRANT FROM THE FEDERAL AVIATION ADMINISTRATION AND AWARDED A CONSTRUCTION AGREEMENT FOR THE KENAI MUNICIPAL AIRPORT AIRCRAFT RESCUE AND FIRE FIGHTING FACILITY REHABILITATION PROJECT.

WHEREAS, the Kenai Municipal Airport Operations and Aircraft Rescue and Fire Fighting (ARFF) Facility was built with Airport Improvement Program (AIP) funds in 2002; and,

WHEREAS, the HVAC system has reached the end of its lifecycle due to it being obsolete and a boiler heat exchanger cracking and being temporarily sealed; and,

WHEREAS, the facility has Snow Removal Equipment (SRE) and ARFF housed inside; and,

WHEREAS, the ARFF Facility rehabilitation project is Federal Aviation Administration (FAA) eligible for grant funds comprised of 65% Airport Improvement Program funds and 35% City funds; and,

WHEREAS, the initial grant offer is for \$_____ with \$_____ Federal Aviation Administration share and \$_____ as the City share; and,

WHEREAS \$557,447 previously appropriated in the Airport Operations Facility Capital Project Fund for the project will be utilized for the City's 35% share; and,

WHEREAS the remaining balance from the previously appropriated \$557,447 will be transferred back to the Airport Special Revenue Fund by a subsequent ordinance; and,

WHEREAS, the Airport agrees to the grant condition that ARFF and SRE equipment and vehicles will be housed and maintained in a state of operational readiness on and for the airport; and,

WHEREAS, completion of this work will improve and stabilize the efficiency of the facility, reduce utility costs, and safeguard the HVAC system for years to come; and,

WHEREAS, the City advertised an Invitation to Bid on July 23, 2024 with bids due on August 13, 2024; and,

WHEREAS, the following bids were received:

| Bidder | Price |
|--------|----------|
| _____ | \$ _____ |
| _____ | \$ _____ |

WHEREAS, _____ bids were received and _____ was the lowest responsive bid; and,

WHEREAS, the recommendation from City Administration is to award the contract to _____ for the total cost of \$_____; and,

WHEREAS, award of the bid to _____, is in the best interest of the City.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, AS FOLLOWS:

Section 1. That the City Manager is authorized to accept a grant from the Federal Aviation Administration in the amount of \$_____ and to expend grant funds in accordance with the provisions of the grant.

Section 2. That estimated revenues and expenditures be increased as follows:

Airport Operations Facility Capital Projects Fund:

| | |
|----------------------------------|------------------|
| Increase in Estimated Revenues – | |
| Appropriation of FAA Grant Funds | \$ <u>XX,XXX</u> |
| Increase Appropriations – | |
| Construction | \$XX,XXX |
| City Administration | <u>XX,XXX</u> |
| | \$ <u>XX,XXX</u> |

Section 3. That the City Manager is authorized to enter into a construction agreement with _____ for \$_____.

Section 4. Severability: That if any part or provision of this ordinance or application thereof to any person or circumstances is adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part, provision, or application directly involved in all controversy in which this judgment shall have been rendered, and shall not affect or impair the validity of the remainder of this title or application thereof to other persons or circumstances. The City Council hereby declares that it would have enacted the remainder of this ordinance even without such part, provision, or application.

Section 5. Effective Date: That pursuant to KMC 1.15.070(f), this ordinance shall take effect immediately upon enactment.

ENACTED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, THIS 21ST DAY OF AUGUST, 2024.

Brian Gabriel Sr., Mayor

ATTEST:

Michelle M. Saner, MMC, City Clerk

Approved by Finance: _____

| | |
|-------------|-----------------|
| Introduced: | August 7, 2024 |
| Enacted: | August 21, 2024 |
| Effective: | August 21, 2024 |



KENAI

City of Kenai | 210 Fidalgo Ave, Kenai, AK 99611-7794 | 907.283.7535 | www.kenai.city

MEMORANDUM

TO: Mayor Gabriel and Council Members

THROUGH: Terry Eubank, City Manager

FROM: Derek Ables, Airport Manager

DATE: July 28, 2024

SUBJECT: **Ordinance No. 3428-2024 - Increasing Estimated Revenue and Appropriations in the Airport Operations Facility Capital Project Fund, Accepting a Grant from the Federal Aviation Administration and Awarding a Construction Agreement for the Kenai Municipal Airport Aircraft Rescue and Fire Fighting Facility Rehabilitation Project.**

The purpose of this memo is seeking the approval of the City Council to accept a grant offer for the Airport Improvement Program, from the Federal Aviation Administration (FAA) replace the HVAC equipment at the Kenai Municipal Airport ARFF Building. The FAA will cover 65% of the costs with the other 35% covered by the City with funds previously appropriated in the Airport Operations Facility Capital Projects Fund.

The HVAC equipment, including two boilers and associated controls, needs replacement at the Kenai Municipal Airport ARFF Building. This project is grant eligible. Federal guidance requests a grant application based on hard bids, with a grant application being requested as soon as possible to meet the Federal Aviation Administration's year end on September 30th.

In order to meet the deadline, the City issued the Invitation to Bid on July 23, 2024 with bids due on August 13, 2024. The City will review the bids and Airport Administration will submit a grant application with the lowest responsive bid by the FAA deadline.

A substitute ordinance will be included in the August 21, 2024 Council packet with the results of the Invitation to Bid filling in the blanks on this ordinance.

Thank you for your consideration.



Sponsored by: Administration

**CITY OF KENAI
ORDINANCE NO. 3428-2024 (SUBSTITUTE)**

AN ORDINANCE INCREASING ESTIMATED REVENUE AND APPROPRIATIONS IN THE AIRPORT OPERATIONS FACILITY CAPITAL PROJECT FUND, ACCEPTING A GRANT FROM THE FEDERAL AVIATION ADMINISTRATION AND AWARDED A CONSTRUCTION AGREEMENT FOR THE KENAI MUNICIPAL AIRPORT AIRCRAFT RESCUE AND FIRE FIGHTING FACILITY REHABILITATION PROJECT.

WHEREAS, the Kenai Municipal Airport Operations and Aircraft Rescue and Fire Fighting (ARFF) Facility was built with Airport Improvement Program (AIP) funds in 2002; and,

WHEREAS, the HVAC system has reached the end of its lifecycle due to it being obsolete and a boiler heat exchanger cracking and being temporarily sealed; and,

WHEREAS, the facility has Snow Removal Equipment (SRE) and ARFF housed inside; and,

WHEREAS, the ARFF Facility rehabilitation project is Federal Aviation Administration (FAA) eligible for grant funds comprised of 65% Airport Improvement Program funds and 35% City funds; and,

WHEREAS, the grant offer is for \$525,925 requiring a local share of \$ 283,191, for a total project cost of \$809,116; and,

WHEREAS \$557,447 previously appropriated in the Airport Operations Facility Capital Project Fund for the project will be utilized for the City's 35% share; and,

WHEREAS the remaining balance from the previously appropriated \$557,447 will be transferred back to the Airport Special Revenue Fund by a subsequent ordinance with the exception of \$50,000 as available contingency funding for the processing of future change orders; and,

WHEREAS, the Airport agrees to the grant condition that ARFF and SRE equipment and vehicles will be housed and maintained in a state of operational readiness on and for the airport; and,

WHEREAS, completion of this work will improve and stabilize the efficiency of the facility, reduce utility costs, and safeguard the HVAC system for years to come; and,

WHEREAS, the City advertised an Invitation to Bid on July 23, 2024 with bids due on August 13, 2024; and,

WHEREAS, the following bids were received:

| Bidder | Total Cost |
|-------------------------|------------|
| Orion Construction Inc. | \$699,400 |

; and,

WHEREAS, one bid was received with Orion Construction Inc. as the lowest responsive bid; and,

WHEREAS, award of the bid to Orion Construction Inc. is in the best interest of the City.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, AS FOLLOWS:

Section 1. That the City Manager is authorized to accept a grant from the Federal Aviation Administration in the amount of \$525,925 and to expend grant funds in accordance with the provisions of the grant.

Section 2. That estimated revenues and expenditures be increased as follows:

Airport Operations Facility Capital Projects Fund:

| | |
|----------------------------------|------------------|
| Increase in Estimated Revenues – | |
| Appropriation of FAA Grant Funds | <u>\$525,925</u> |
| Increase Appropriations – | |
| Construction | \$500,925 |
| City Administration | <u>\$25,000</u> |
| | <u>\$525,925</u> |

Section 3. That the City Manager is authorized to enter into a construction agreement with Orion Construction Inc. for \$699,400 and to increase HDL Engineering's existing purchase order 129216 from \$14,990 to \$29,990, an increase of \$15,000 to allow for construction admin services.

Section 4. Severability: That if any part or provision of this ordinance or application thereof to any person or circumstances is adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part, provision, or application directly involved in all controversy in which this judgment shall have been rendered, and shall not affect or impair the validity of the remainder of this title or application thereof to other persons or circumstances. The City Council hereby declares that it would have enacted the remainder of this ordinance even without such part, provision, or application.

Section 5. Effective Date: That pursuant to KMC 1.15.070(f), this ordinance shall take effect immediately upon enactment.

ENACTED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, THIS 21ST DAY OF AUGUST, 2024.

Brian Gabriel Sr., Mayor

ATTEST:

Michelle M. Saner, MMC, City Clerk

Approved by Finance: DS

| | |
|-------------|-----------------|
| Introduced: | August 7, 2024 |
| Enacted: | August 21, 2024 |
| Effective: | August 21, 2024 |



KENAI

City of Kenai | 210 Fidalgo Ave, Kenai, AK 99611-7794 | 907.283.7535 | www.kenai.city

MEMORANDUM

TO: Mayor Gabriel and Council Members

THROUGH: Terry Eubank, City Manager

FROM: Derek Ables, Airport Manager

DATE: August 14, 2024

SUBJECT: **Ordinance No. 3428-2024 (Substitute) - Increasing Estimated Revenue and Appropriations in the Airport Operations Facility Capital Project Fund, Accepting a Grant from the Federal Aviation Administration and Awarding a Construction Agreement for the Kenai Municipal Airport Aircraft Rescue and Fire Fighting Facility Rehabilitation Project**

This memo seeks approval of the City Council to accept a grant offer from the Federal Aviation Administration (FAA) to replace the HVAC equipment at the Kenai Municipal Airport ARFF Building for \$525,925. This represents 65% of the projected costs and requires a local match of \$283,191 (35%) for a total project cost of \$809,116.

The HVAC equipment, including two boilers and associated controls, needs replacement at the Kenai Municipal Airport ARFF Building. This project is grant eligible. Federal guidance requests a grant application based on hard bids, with a grant application being requested and accepted as soon as possible to meet the Federal Aviation Administration's year end on September 30th.

In order to meet the deadline, the City issued the Invitation to Bid on July 23, 2024 with 1 bid received on August 13, 2024. A construction agreement will be entered into with Orion Construction Inc. for \$699,400.

Council's support is respectfully requested.



Sponsored by: Administration

**CITY OF KENAI
ORDINANCE NO. 3429-2024**

AN ORDINANCE INCREASING ESTIMATED REVENUES AND APPROPRIATIONS IN THE AIRPORT IMPROVEMENTS CAPITAL PROJECT FUND AND ACCEPTING A GRANT FROM THE FEDERAL AVIATION ADMINISTRATION FOR THE KENAI MUNICIPAL AIRPORT MOBILE TEST FOAM SYSTEM EQUIPMENT PURCHASE.

WHEREAS, this Ordinance will provide for the purchase of test equipment to allow the safe annual operational testing of Airport Fire Fighting Equipment without the necessity of discharging potentially hazardous materials; and,

WHEREAS, due to recent regulations related to firefighting foam containing hazardous materials, the Federal Aviation Administration is offering to fully fund 100% of the purchase for a mobile test foam system, commonly referred to as an Eco Cart; and,

WHEREAS, the initial grant offer and Federal Aviation Administration share is \$34,950; and,

WHEREAS, acceptance of these grant funds is in the best interest of the City.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, AS FOLLOWS:

Section 1. That the City Manager is authorized to accept a grant from the Federal Aviation Administration in the amount of \$34,950 and expend the funds in accordance with the provisions of the grant.

Section 2. That estimated revenues and appropriations be increased as follows:

Airport Improvements Capital Project Fund:

| | |
|----------------------------------|-----------------|
| Increase Estimated Revenues – | |
| Appropriation of FAA Grant Funds | <u>\$34,950</u> |
| Increase Appropriations – | |
| Machinery & Equipment | \$33,350 |
| City Administration | <u>1,600</u> |
| | <u>\$34,950</u> |

Section 3. Severability: That if any part or provision of this ordinance or application thereof to any person or circumstances is adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part, provision, or application directly involved in all controversy in which this judgment shall have been rendered, and shall not affect or impair the validity of the remainder of this title or application thereof to other persons or circumstances. The City Council hereby declares that it would have enacted the remainder of this ordinance even without such part, provision, or application.

Section 4. Effective Date: That pursuant to KMC 1.15.070(f), this ordinance shall take effect immediately upon enactment.

ENACTED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, THIS 21ST DAY OF AUGUST, 2024.

Brian Gabriel Sr., Mayor

ATTEST:

Michelle M. Saner, MMC, City Clerk

Approved by Finance: _____



| | |
|-------------|-----------------|
| Introduced: | August 7, 2024 |
| Enacted: | August 21, 2024 |
| Effective: | August 21, 2024 |



KENAI

City of Kenai | 210 Fidalgo Ave, Kenai, AK 99611-7794 | 907.283.7535 | www.kenai.city

MEMORANDUM

TO: Mayor Gabriel and Council Members

THROUGH: Terry Eubank, City Manager

FROM: Derek Ables, Airport Manager

DATE: July 28, 2024

SUBJECT: **Ordinance No. 3429-2024 - Increasing Estimated Revenues and Appropriations in the Airport Improvements Capital Project Fund and Accepting a Grant from the Federal Aviation Administration for the Kenai Municipal Airport Mobile Test Foam System Equipment Purchase.**

The purpose of this memo is to request appropriation of funds from the Federal Aviation Administration (FAA) for ARFF vehicle portable test equipment.

The applied principle of this equipment is to measure the flow rates, which correspond to the foam-concentrate flow rates, and calculate the foam solution percentage based on the flow rates of each nozzle outlet. The NoFoam System, Model P, is the compact solution. It uses an external water tank (supplied with the system), and is battery powered and is designed to perform the same as the trailer-based system. The system will allow the City to meet its annual testing requirements without discharging any chemicals.

Resolution 2024-18 previously authorized the acceptance of grant funding from the Federal Aviation Administration of \$34,950. 100% of the project is funded through the Bipartisan Infrastructure Law (BIL).

Council's support is respectfully requested.





Sponsored by: Administration

**CITY OF KENAI
RESOLUTION NO. 2024-38**

A RESOLUTION AUTHORIZING A SERVICE AGREEMENT FOR THE FISCAL YEAR 2025 STREET LIGHT REPAIR AND MAINTENANCE WITH UTILITY LOCATE SERVICES.

WHEREAS, the city of Kenai annually contracts for street light repairs and utility locate services; and,

WHEREAS, an Invitation to Bid for these services for FY2025 was released on July 24, 2024 with bids due August 13, 2024; and,

WHEREAS, the following bids were received:

| Company | Bid |
|-----------------------|----------|
| Kachemak Electric Co. | \$38,700 |
| Legacy Electric LLC. | \$71,700 |

; and,

WHEREAS, Kachemak Electric Co. was found to be the lowest responsive and responsible bidder with a total bid in the amount of \$38,700; and,

WHEREAS, the bids provide unit pricing for these services, with an initial contract established to account for 300 Utility Locates and 30 street light assessments; and,

WHEREAS, actual services will vary based on the City's needs and demand for these services, with actual costs to be paid to contractor for actual work completed; and,

WHEREAS, funding for this work was approved as part of the FY2025 annual budget.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA:

Section 1. That the City Manager is authorized to execute a contract award to Kachemak Electric Co. in the amount of \$38,700.

Section 2. That this Resolution takes effect immediately upon passage.

PASSED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, THIS 21ST DAY OF AUGUST, 2024.

Brian Gabriel Sr., Mayor

ATTEST:

Michelle M. Saner, MMC, City Clerk

Approved by Finance: _____

New Text Underlined; [DELETED TEXT BRACKETED]



KENAI

City of Kenai | 210 Fidalgo Ave, Kenai, AK 99611-7794 | 907.283.7535 | www.kenai.city

MEMORANDUM

TO: Mayor Gabriel and Council Members

THROUGH: Terry Eubank, City Manager

FROM: Scott Curtin, Public Works Director

DATE: August 14, 2024

SUBJECT: Resolution 2024-38 - Authorizing a Service Agreement for the Fiscal Year 2025 Street Light Repair and Maintenance with Utility Locate Services.

The purpose of this memo is to request Council's approval to award a service contract and issue of a Purchase Order to Kachemak Electric in the amount of \$38,700 to provide street light repair and maintenance services as well as utility location services on an as needed basis through Fiscal Year 2025 ending June 30, 2025. This is an annually budgeted service.

The Public Works Department released a formal Invitation to Bid on July 24, 2024 with bids due on August 13, 2024. The ITB requested per unit costs for initial assessment of inoperable street lights, labor for minor repairs like bulb and photocell replacements with materials to be billed at actual costs, Labor costs for line break repairs, and individual utility locate costs. Bid schedule as detailed below.

| Description | Unit | Cost |
|---|--------------|------------------|
| Street Light Repairs | | |
| Initial Assessment per light | Each Light | \$ 140.00 |
| <u>Labor and Equipment</u> for minor repairs (Bulb, ballast, drivers, photo cell) | Each Light | \$ 196.00 |
| <u>Labor and Equipment</u> for line break repair (Per line break not light, i.e. if one break disabled four lights, it's still one repair.) | Each Break | \$ 1,950.00 |
| Materials will all be at actual cost per supplier's invoice for all repairs, any contractor markup to be included in unit prices above. | | |
| Force Account – City funds available for materials | | \$20,000 |
| Street Light Locates | | |
| Per individual locate request within 48 hours of notification | Each Request | \$ 115.00 |
| The successful low bidder will be determined by the following estimated work quantities: 300 Utility locates + 30 light assessments = total cost. Contractor with lowest Bid for that amount of work will be awarded contract. Contract will run through June 30th, 2025. | | |
| | Total | 38,700.00 |

Two bids were received by the Department with Kachemak Electric providing the lowest responsive responsible bid. The combined bid which includes 300 utility locates and 30 light assessments totals \$38,700. The Public Works Department is also working on acquiring approximately \$20,000 of new street lights directly from the manufacturer for Kachemak to use as replacements when needed.

Award of this service contract and issuance of this Purchase Order to Kachemak Electric is in the best interest of the City, Council's support is respectfully requested.





Sponsored by: Administration

**CITY OF KENAI
RESOLUTION NO. 2024-39**

A RESOLUTION AUTHORIZING A SERVICE AGREEMENT FOR THE FISCAL YEAR 2025 AND FISCAL YEAR 2026 WATER TREATMENT PLANT AND WASTEWATER TREATMENT PLANT DUMPSTER SERVICES.

WHEREAS, the City of Kenai released a formal Invitation to Bid for FY2025 & FY2026 Dumpster Services for the City's Water & Waste Water Treatment Plants on July 23, 2024 with Bids due on August 13, 2024; and,

WHEREAS, the contract provides for monthly container rental and transport of municipal sludge and screenings to the Central Peninsula Landfill including disposal fees; and,

WHEREAS, the following bids were received on bid day:

| Bidders | Base Bid Totals | | |
|------------------------------------|---------------------------|----------------------|----------------------------|
| | <i>Services</i> | <i>Disposal Fees</i> | <i>Total Cost</i> |
| <i>Peninsula Refuse LLC</i> | | | |
| FY2025 | <i>\$19,336.00</i> | \$108,000.00 | <i>\$127,336.00</i> |
| FY2026 | <i>\$23,144.00</i> | \$129,600.00 | \$152,744.00 |
| Services Total | <i>\$42,480.00</i> | | |
| Alaska Waste LLC | | | |
| FY2025 | \$22,136.58 | \$108,000.00 | \$130,136.58 |
| FY2026 | \$26,557.00 | \$129,600.00 | \$156,157.00 |
| Services Total | \$48,693.58 | | |

; and,

WHEREAS, this contract also includes the fixed fee rates charged by the Central Peninsula Landfill for sludge disposal at the current rate of \$135/ton, the contractor will be paid actual costs as invoiced by the Borough, with 800 tons budgeted for the remainder of FY2025 and 960 tons budgeted for FY2026; and,

WHEREAS, funding for these services are included within the FY2025 operational budget for the utility, with FY2026 services subject to Council appropriation; and,

WHEREAS, Peninsula Refuse LLC was determined to be the lowest responsive and responsible bidder and award to Peninsula Refuse is in the best interest of the City.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA:

Section 1. That the City Manager is authorized to execute a contract award to Peninsula Refuse LLC in the amount of \$127,336 for FY2025 and for \$152,744 for FY2026 subject to Council's appropriation of funds.

Section 2. That this Resolution takes effect immediately upon passage.

PASSED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, THIS 21ST DAY OF AUGUST, 2024.

Brian Gabriel Sr., Mayor

ATTEST:

Michelle M. Saner, MMC, City Clerk

Approved by Finance: _____





KENAI

City of Kenai | 210 Fidalgo Ave, Kenai, AK 99611-7794 | 907.283.7535 | www.kenai.city

MEMORANDUM

TO: Mayor Gabriel and Council Members

THROUGH: Terry Eubank, City Manager

FROM: Scott Curtin, Public Works Director

DATE: August 14, 2024

SUBJECT: **Resolution 2024-39 - Authorizing a Service Agreement for the Fiscal Year 2025 and Fiscal Year 2026 Water Treatment Plant and Wastewater Treatment Plant Dumpster Services.**

The Purpose of this memo is request Council's approval to award a service contract for dumpster services at the City's Water & Waste Water Treatment Facilities. The Public Works Department released a formal Invitation to Bid on July 23, 2024 with two bids being received on August 13, 2024, with Peninsula Refuse LLC being determined as the lowest responsive and responsible bidder.

This agreement includes smaller 6yd dumpsters for normal business trash at two facility locations as well as a screenings 6yd dumpster at the WWTP. One 30yd roll off dumpster for municipal wastewater sludge will be serviced up to twice weekly, with the disposal fees charged by the landfill passing through this agreement to be paid at actual costs charged by the Borough.

Peninsula Refuse LLC has been performing these services for the City for the last few years without issue. Award to Peninsula Refuse LLC for the remainder of FY2025 and FY2026 is in the best interest of the City.



Sponsored by: Administration

**CITY OF KENAI
RESOLUTION NO. 2024-40**

A RESOLUTION AUTHORIZING A CONTRACT AWARD TO SUPPLY OPERATIONAL CHEMICALS FOR THE CITY'S WATER TREATMENT AND WASTEWATER TREATMENT FACILITIES.

WHEREAS, an invitation to Bid for various chemicals in support of water and wastewater treatment plants for FY2025 was released on July 24, 2024, with Bids due on August 13, 2024; and,

WHEREAS, the following bids were received:

| | Water Treatment Plant | Wastewater Treatment Plan | | | |
|--|--------------------------------|----------------------------|--------------------------------|---------------------------------------|---|
| Vendor | Sodium Hypochlorite (32) totes | Sodium Bisulfite (2) totes | Sodium Hypochlorite (13) totes | Standard Hydrated Lime (50) 50lb bags | Emulsion polymer – Clarifloc 6276 (6) totes |
| Univar Solution – Total Bid \$105,060.00 | \$70,496.00 | \$3,900.00 | \$28,639.00 | \$2,025.00 | N/A |
| Brenntag Pacific– Total Bid \$88,468.00 | \$58,414.40 | \$4,320.00 | \$23,730.85 | \$2,002.75 | N/A |
| PolyDyne, Inc. – Total Bid \$37,260.00 | N/A | N/A | N/A | N/A | \$37,260.00 |

; and,

WHEREAS, Brenntag Pacific Inc. is the lowest responsive and responsible bidder for the base bid combined purchase of sodium hypochlorite, sodium bisulfite and lime at a total bid of \$88,464; and,

WHEREAS, PolyDyne, Inc. was found to be the lowest responsive and responsible bidder for the purchase of the Clarifloc 6276 emulsion polymer at a total bid of \$37,260; and,

WHEREAS, award to both of these vendors is in the best interest of the City.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA:

Section 1. That the City Manager is authorized to execute a contract award and corresponding purchase order to Brenntag Pacific, Inc. in the amount of \$88,468 and to PolyDyne, Inc. in the amount of \$37,260.

Section 2. That this Resolution takes effect immediately upon passage.

PASSED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, THIS 21ST DAY OF AUGUST, 2024.

Brian Gabriel Sr., Mayor

ATTEST:

Michelle M. Saner, MMC, City Clerk

Approved by Finance: _____





KENAI

City of Kenai | 210 Fidalgo Ave, Kenai, AK 99611-7794 | 907.283.7535 | www.kenai.city

MEMORANDUM

TO: Mayor Gabriel and Council Members

THROUGH: Terry Eubank, City Manager

FROM: Scott Curtin, Public Works Director

DATE: August 14, 2024

SUBJECT: **Resolution 2024-40 - Authorizing a Contract Award to Supply Operational Chemicals for the City's Water Treatment and Wastewater Treatment Facilities**

This memo requests Council's approval for a contract award to supply and deliver operational chemicals for the City's Water Treatment and Wastewater Treatment Facilities. These chemicals allow the Water & Sewer Department to safely treat the City's drinking water and to sanitize the effluent leaving the wastewater plant.

Chemicals purchased through this annual agreement include sodium hypochlorite as a sanitizing agent, sodium bisulfite to remove chlorination prior to discharging effluent into Cook Inlet waters, lime to adjust pH in the digester, and polymer for dewatering of wastewater sludge.

A formal Invitation to Bid was released on July 24, 2024 with Bids due on August 13, 2024 with Brenntag found to be the lowest responsive responsible bidder for the sodium hypochlorite, sodium bisulfite and hydrated lime with a total combined bid in the amount of \$88,468 and PolyDyne Inc. was found to be the lowest responsive responsible bidder for the WWTP Clarifloc C-6276 Polymer at a total bid of \$37,260. Combined operational chemicals for the year will total \$125,728.

Chemicals continue to be an expensive operational cost for the utility. We competitively bid them annually, with FY24 actual costs of \$118,950 which was slightly offset by the contractor supplying some polymer as part of the sludge press replacement project, FY23 actual costs of \$126,060.50 and FY22 actual costs of \$85,841.08. The FY2025 budget approved by Council included \$131,500 for these chemicals between the water and wastewater facilities.

Staff continues to seek operational efficiencies to get the most out of chemicals while remaining within in our permitting requirements.

Council's approval is respectfully requested.

**KENAI CITY COUNCIL – REGULAR MEETING
AUGUST 7, 2024 – 6:00 P.M.
KENAI CITY COUNCIL CHAMBERS
210 FIDALGO AVE., KENAI, AK 99611
MAYOR BRIAN GABRIEL, PRESIDING**

MINUTES

A. CALL TO ORDER

A Regular Meeting of the Kenai City Council was held on August 7, 2024, in City Hall Council Chambers, Kenai, AK. Mayor Gabriel called the meeting to order at approximately 6:00 p.m.

1. Pledge of Allegiance

Mayor Gabriel led those assembled in the Pledge of Allegiance.

2. Roll Call

There were present:

Brian Gabriel, Mayor
Phil Daniel (*remote participation*)
James Baisden

Henry Knackstedt, Vice Mayor
Deborah Sounart
Victoria Askin (*remote participation*)

A quorum was present.

Absent:

Alex Douthit

Also in attendance were:

**Xinlan Tanner, Student Representative
Terry Eubank, City Manager
Max Best, Interim Planning Director
Brandon McElrea, Planning Technician
Tyler Best, Parks and Recreation Director
Derek Ables, Airport Manager
Jay Teague, Fire Chief
Dave Ross, Police Chief
Shellie Saner, City Clerk

3. Agenda Approval

MOTION:

Vice Mayor Knackstedt **MOVED** to approve the agenda and consent agenda with the requested revisions. Council Member Baisden **SECONDED** the motion.

The items on the Consent Agenda were read into the record.

Mayor Gabriel opened the floor for public comment on consent agenda items; there being no one wishing to be heard, the public comment period was closed.

UNANIMOUS CONSENT was requested.

VOTE: There being no objection; **SO ORDERED.**

All items listed with an asterisk () are considered to be routine and non-controversial by the council and will be approved by one motion. There will be no separate discussion of these items unless a council member so requests, in which case the item will be removed from the consent agenda and considered in its normal sequence on the agenda as part of the General Orders.

B. SCHEDULED ADMINISTRATIVE REPORTS - None.

C. SCHEDULED PUBLIC COMMENTS - None.

D. UNSCHEDULED PUBLIC COMMENTS

Deniece Isascs addressed the Council in opposition of the proposed establishment of a marijuana store located at 11888 Kenai Spur Highway, noting she had previously been denied a conditional use permit to operate a marijuana store in the same location.

It was clarified by staff that this subject would be before the Planning Commission at their August 14, 2024 meeting as Resolution PZ 2024-18 - A Resolution Denying the Application for a Variance Permit and Resolution PZ 2024-19 - A Resolution Denying a Conditional Use Permit for a Retail Marijuana Store.

E. PUBLIC HEARINGS

1. **Ordinance No. 3425-2024** - Increasing Estimated Revenues and Appropriations in the Airport Special Revenue and Airport Improvements Capital Project Funds, Accepting a Grant from the Federal Aviation Administration and Awarding a Professional Services Agreement for the Kenai Municipal Airport Master Plan. (Administration) [KMC 1.15.070(d)]

MOTION:

Vice Mayor Knackstedt **MOVED** to introduce Ordinance No. 3425-2024. Council Member Sounart **SECONDED** the motion.

UNANIMOUS CONSENT was requested.

VOTE: Motion **APPROVED**, without objection.

MOTION:

Vice Mayor Knackstedt **MOVED** to conduct the second reading on Ordinance No. 3425-2024. Council Member Baisden **SECONDED** the motion.

UNANIMOUS CONSENT was requested.

VOTE: Motion **APPROVED**, without objection.

MOTION:

Vice Mayor Knackstedt **MOVED** to enact Ordinance No. 3425-2024. Council Member Baisden **SECONDED** the motion.

Mayor Gabriel opened the floor for public comment. There being no one wishing to be heard, the public comment period was closed.

It was reported that the funds would be utilized to update the Airport Master Plan, which was last updated in 2017; having a current master plan is essential for securing grant funding; the shortened hearing was requested to meet the requirements for the end of the Federal Fiscal year, which is September 30.

VOTE:

YEA: Gabriel, Askin, Baisden, Sounart, Knackstedt, Daniel

NAY: None

ABSENT: Douthit

**Student Representative Tanner: Yea

MOTION PASSED.

2. **Ordinance No. 3426-2024** - Increasing Estimated Revenues and Appropriations in the Airport Snow Removal Equipment Capital Project Fund and Accepting a Grant from the Federal Aviation Administration for the Purchase of Snow Removal Equipment - Wheel

Loader & Plow/Sanding Truck for the Kenai Municipal Airport and Authorizing the Utilization of the State of Alaska Fleet Purchasing Agreement. (Administration) [KMC 1.15.070(d)]

MOTION:

Vice Mayor Knackstedt **MOVED** to introduce Ordinance No. 3426-2024. Council Member Sounart **SECONDED** the motion.

UNANIMOUS CONSENT was requested.

VOTE: Motion **APPROVED**, without objection.

MOTION:

Vice Mayor Knackstedt **MOVED** to conduct the second reading on Ordinance No. 3426-2024. Council Member Baisden **SECONDED** the motion.

UNANIMOUS CONSENT was requested.

VOTE: Motion **APPROVED**, without objection.

MOTION:

Vice Mayor Knackstedt **MOVED** to enact Ordinance No. 3426-2024. Council Member Sounart **SECONDED** the motion.

Mayor Gabriel opened the floor for public comment. There being no one wishing to be heard, the public comment period was closed.

Appreciation was stated for Airport Manager Ables for his work bringing these funding opportunities to the City.

VOTE:

YEA: Askin, Baisden, Sounart, Knackstedt, Daniel, Gabriel

NAY: None

ABSENT: Douthit

**Student Representative Tanner: Yea

MOTION PASSED.

- 3. Resolution No. 2024-36** - Approving a Revised Memorandum of Agreement Between the City of Kenai and the Kenai Peninsula Borough for Intergovernmental Administration of Borough and City Municipal Elections. (City Clerk)

MOTION:

Vice Mayor Knackstedt **MOVED** to adopt Resolution No. 2024-36. Council Member Baisden **SECONDED** the motion.

Mayor Gabriel opened the floor for public comment. There being no one wishing to be heard, the public comment period was closed.

It was reported that the updates to the agreement clarified that the software programming would now be done by the software provider; the costs for special elections would be the actual cost charged by the provider; and that onsite management of the Absentee In-Person voting locations would be handled by the Clerk of each location.

UNANIMOUS CONSENT was requested.

VOTE: Motion **APPROVED**, without objection.

- 4. Resolution No. 2024-37** - Authorizing A Contract Award Utilizing an Innovative Procurement Procedure and Corresponding Purchase Order for the Public Safety Building Tower Guy System Upgrade Project. (Administration)

MOTION:

Vice Mayor Knackstedt **MOVED** to adopt Resolution No. 2024-37. Council Member Sounart **SECONDED** the motion.

Mayor Gabriel opened the floor for public comment. There being no one wishing to be heard, the public comment period was closed.

It was reported there were initially two formal solicitations, the first received no bids, the second received one bid, which was nearly double the estimated cost; an innovative procurement process was proposed to directly contact Motorola for recommended vendors; the process resulted in one quote, which was less than the previous bid.

UNANIMOUS CONSENT was requested.

VOTE: There being no objection; **SO ORDERED.**

F. MINUTES

1. *Regular Meeting of July 3, 2024. (City Clerk)

G. UNFINISHED BUSINESS - None.**H. NEW BUSINESS**

1. ***Action/Approval** - Bills to be Ratified. (Administration)

Approved by the consent agenda.

2. ***Action/Approval** - Approving Official Bond Amounts for City Manager, City Clerk and Finance Director. (Administration)

Approved by the consent agenda.

3. ***Action/Approval** - Special Use Permit to Cook Inlet Natural Gas Storage Alaska for Vehicle Parking and Temporary Boardwalk Construction. (Administration)

Approved by the consent agenda.

4. ***Ordinance No. 3427-2023** - Increasing Estimated Fiscal Year 2024 Revenues and Appropriations in the General Fund - Police Department and Accepting a Grant from the Alaska High Intensity Drug Trafficking Area for Drug Investigation Overtime Expenditures. (Administration)

Introduced by the consent agenda and Public Hearing set for August 21, 2024.

5. ***Ordinance No. 3428-2023** - Increasing Estimated Revenue and Appropriations in the Airport Operations Facility Capital Project Fund, Accepting a Grant from the Federal Aviation Administration and Awarding a Construction Agreement for the Kenai Municipal Airport Aircraft Rescue and Fire Fighting Facility Rehabilitation Project. (Administration)

Introduced by the consent agenda and Public Hearing set for August 21, 2024.

6. ***Ordinance No. 3429-2023** - T Increasing Estimated Revenues and Appropriations in the Airport Improvements Capital Project Fund and Accepting a Grant from the Federal Aviation Administration for the Kenai Municipal Airport Mobile Test Foam System Equipment Purchase. (Administration)

Introduced by the consent agenda and Public Hearing set for August 21, 2024.

I. COMMISSION / COMMITTEE REPORTS

1. Council on Aging Commission

No report, next meeting September 5, 2024.

2. No report, meeting August 8, 2024.

Vice Mayor Knackstedt.

3. Harbor Commission

No report, next meeting, August 12, 2024.

4. Parks and Recreation Commission

No report, next meeting September 5, 2024.

5. Planning and Zoning Commission

No report, next meeting August 14, 2024.

6. Beautification Commission

No report, next meeting September 10, 2024.

J. REPORT OF THE MAYOR

Mayor Gabriel reported on the following:

- Attending the 4th of July Parade, noting how well it was attended and there were 70 entries.
- Boys and Girls Club partnership with the Food Bank, King of the River Food Drive - Kenai vs. Soldotna; Kenai won this year with 24,885.65 pounds, Soldotna 23,518 pounds for a total of 48,403 pounds of food donated.

K. ADMINISTRATION REPORTS

1. City Manager - City Manager Eubank reported on the following:

- Introduced Jay Teague, City of Kenai new Fire Chief.
- Retirement notice for John Harris, Deputy Fire Chief and Alan Robillard, Capital Projects Manager.
- Ongoing recruitment for Police Officer and Senior Center Driver.
- Personal Use Fishery (dip-netting) closed on schedule.
- Rescue of two dip-netters who were swept out while dip-netting, they were picked up a half mile out.
- New Ambulance Dedication Ceremony scheduled for Saturday, August 17, 2024.
- Working on future City owned land sales, first time offering the new Veterans discount.
- Radio advertising that was funded in the FY25 budget has started.
- Cultural area at the Chamber will be closed November 4, 2024 through December 20, 2024 for an update with a tentative grand reopening in January.
- Working with the Clerk, Attorney and staff to review the newspaper advertising requirements within municipal code.
- Will be attending the upcoming ICMA conference in Pittsburgh.
- SCASD grant application has been submitted, will be meeting with staff from Senator Murkowski's office regarding support for the SCASD grant.
- Working with Senator Bjorkman on grant language to allow remain funds to be utilized for projects on the City dock.

- State appreciation for the Parks and Recreation Department hosting 88 soccer teams for the State Championship.
- 2. City Attorney - no report.
- 3. City Clerk - City Clerk Saner reported on the following:
 - Candidate filing is open through August 15, 2024, 4:30 p.m.
 - Absentee / Early Voting for the State of Alaska Primary is currently open at the new Region IV Elections office, located at 11312 Kenai Spur Hwy., Suite 48.
 - Absentee In-Person voting for Borough and City Elections will still be held at City Hall.

L. ADDITIONAL PUBLIC COMMENTS

1. Citizen Comments *(Public comments limited to (5) minutes per speaker)*
2. Council Comments

Council Member Askin thanked the Fire Department for the rescue.

Council Member Daniel thanked staff for all they do and City Manager Eubank for his Managers Report.

Student Representative Tanner reported that school begins on August 21, 2024; and athletic teams were starting non-mandatory practices.

Council Member Sounart thanked Parks and Recreation Director Best and his staff for all they do.

Council Member Baisden welcomed Chief Teague; noted his appreciation that the State Soccer Championships were held here; and the Kenai Golf Course is in the best shape ever.

Vice Mayor Knackstedt welcomed Chief Teague; thanked Director Best and his staff; noted the Field of Flowers started to bloom; and Industry Appreciation Days were coming up.

Mayor Gabriel welcomed Chief Teague.

M. EXECUTIVE SESSION - None.

N. PENDING ITEMS - None.

O. ADJOURNMENT

P. INFORMATIONAL ITEMS - None.

There being no further business before the Council, the meeting was adjourned at 6:50 p.m.

I certify the above represents accurate minutes of the Kenai City Council meeting of August 7, 2024.

Michelle M. Saner, MMC
City Clerk

*** The student representative may cast advisory votes on all matters except those subject to executive session discussion. Advisory votes shall be cast in the rotation of the official council vote and shall not affect the outcome of the official council vote. Advisory votes shall be recorded in the minutes. A student representative may not move or second items during a council meeting.*

PAYMENTS OVER \$35,000.00 WHICH NEED COUNCIL RATIFICATION
COUNCIL MEETING OF: AUGUST 21, 2024

| VENDOR | DESCRIPTION | DEPARTMENT | ACCOUNT | AMOUNT |
|----------------|----------------|------------|------------------|------------|
| PERS | PERS | VARIOUS | LIABILITY | 112,512.37 |
| PREMERA | AUGUST PREMIUM | VARIOUS | HEALTH INSURANCE | 206,307.00 |
| HOMER ELECTRIC | ELECTRIC USAGE | UTILITIES | VARIOUS | 95,105.49 |

INVESTMENTS

| VENDOR | DESCRIPTION | MATURITY DATE | AMOUNT | Effect. Int. |
|--------|-------------|---------------|--------|--------------|
|--------|-------------|---------------|--------|--------------|



KENAI

City of Kenai | 210 Fidalgo Ave, Kenai, AK 99611-7794 | 907.283.7535 | www.kenai.city

August 21, 2024

Anne Marie Eich, Assistant Regional Administrator
Protected Resources Division, Alaska Region NMFS
P.O. Box 21668
Juneau, AK 99802

Submitted electronically at <https://www.regulations.gov>

Re: NOAA-NMFS-2024-0042

The City of Kenai (City) strongly opposes the petition to list Gulf of Alaska (GOA) Chinook Salmon as a threatened or endangered species under the Endangered Species Act (ESA). Additionally, we oppose the National Marine Fisheries Service's issuance of a positive 90-day finding on the petition. The initial petition failed to present substantial scientific or commercial information that would warrant such action. The National Marine Fisheries Service (NMFS) even acknowledged that the petition contained "numerous factual errors, omissions, incomplete references, and unsupported assertions and conclusions," which should have disqualified the petition from consideration under NMFS regulations.

The City of Kenai is located on the Kenai Peninsula with a population of 7,742 and includes Cook Inlet tidelands, portions of the Kenai River, and streams that support Chinook salmon migration. Our 2030 Comprehensive Plan, adopted in July 2016, emphasizes environmental stewardship, particularly the protection and enhancement of natural resources like the Kenai River, beaches, tidelands, and wetlands. The City collaborates with the State of Alaska, Kenai Peninsula Borough, Kenai Watershed Forum, and Kenaitze Indian Tribe on multiple projects to improve rearing habitat for Coho, Sockeye, and Chinook salmon.

Please consider the following comments in your status review of Gulf of Alaska Chinook salmon:

- **Alaska's Sustainable Management Framework:** The ESA is not the appropriate framework to address a downturn in Chinook productivity. Alaska Department of Fish & Game (ADF&G) management is designed to protect the long-term productivity of salmon stocks, even when productivity is low. Sustainable management is a fundamental concept in the State of Alaska Constitution. Article VIII of the Alaska constitution mandates the sustainable management of natural resources, including fisheries, for the maximum benefit of the people and prioritizes spawning escapement as the central tenet of sustained-yield salmon fisheries management. ADF&G escapement goals are established to ensure maximum sustained yield and not at the minimum level needed for stock survivability. Failure to meet escapement goals signals a need for corrective management actions but does not indicate an imminent risk of extinction.

- **Proactive Management Measures:** In response to recent declines in Chinook productivity and lower Chinook yield, the Board of Fisheries and ADF&G have significantly reduced Chinook exploitation rates, designated certain stocks as “Stocks of Concern,” and developed and implemented action plans with proscriptive management measures. These actions have resulted in fishery closures, reduced fishing time and effort, and have impacted fisheries targeting other species that incidentally catch Chinook. Alaskans endure cultural and economic impacts during productivity downturns to ensure the long-term health and productivity of salmon stocks. Timely reductions in fishing pressure in response to downturns in productivity are indicators of Alaska’s strong and responsive management approach to ensure the long-term health of salmon stocks, rather than evidence of salmon stocks potentially going extinct.
- **Inadequacy of the Petition:** NMFS has acknowledged that the Wild Fish Conservancy’s petition did not fully represent all relevant facts and omitted information that may contradict claims in the petition. The current evidence does not indicate an imminent risk of extinction for GOA Chinook salmon. While it is important to thoroughly evaluate potential risks to species, the City of Kenai does not believe that listing GOA Chinook salmon under the ESA is warranted.

Listing of Chinook salmon under the ESA could have profound consequences for subsistence, commercial, and recreational fisheries, leading to cultural and economic challenges. Federal oversight could result in strict management measures, including unnecessary reductions or complete closures of fisheries including any fishery with an incidental Chinook catch. Additionally, the designation of “critical habitat” could encompass extensive freshwater and marine areas, imposing new regulatory requirements within these areas.

Given these potential impacts, the City of Kenai urges the review committee to carefully consider the implications of the Wild Fish Conservancy’s petition. We recommend that the review be conducted with rigorous scientific evaluation and diligence to ensure a well-informed decision worthy of consideration for listing Gulf of Alaska Chinook Salmon as a threatened or endangered species.

Thank you for your attention to this matter.

Sincerely,

Brian Gabriel, Sr.
Kenai City Mayor



KENAI

City of Kenai | 210 Fidalgo Ave, Kenai, AK 99611-7794 | 907.283.7535 | www.kenai.city

MEMORANDUM

TO: Mayor Gabriel and Council Members

FROM: Council Member Henry Knackstedt

DATE: August 13, 2024

SUBJECT: **Action/Approval - Authorizing Submission of Comment to NOAA to Determine Whether to List Gulf of Alaska Chinook Salmon Under the Endangered Species Act**

The National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), and the US Department of Commerce issued the attached 90-day finding on a petition to list Gulf of Alaska Chinook salmon (*Oncorhynchus tshawytscha*), or any evolutionarily significant unit (ESU) that may exist in the petitioned area, as a threatened or endangered species under the Endangered Species Act (ESA), and to designate critical habitat concurrent with the listing.

A summary of the finding states that the NMFS finds that the petition presents substantial scientific or commercial information indicating that the petitioned action may be warranted. The NMFS is commencing a review of the status to determine whether listing under the ESA is warranted. To ensure that the status review is comprehensive, they are soliciting scientific and commercial information regarding this species from any interested party. Comments must be submitted by September 6, 2024.

I am requesting City Council approval of a comment letter to NOAA to Determine Whether to List Gulf of Alaska Chinook Salmon Under the Endangered Species Act. City of Kenai residents, fisheries, and non-fisheries businesses and industries could be significantly affected by such a listing, and there is no scientific data we are aware of that warrants a population-level risk to Gulf Chinook.

A copy of the letter is attached for your review. If you are in support of the attached letter, the following motion should be made:

Motion

To approve the City Manager issuance of Comment to NOAA to Determine Whether to List Gulf of Alaska Chinook Salmon Under the Endangered Species Act.



Gulf of Alaska Chinook Salmon: Endangered Species Act Status Review Key Points

June 18, 2024

The National Marine Fisheries Service (NMFS) recently issued a positive 90-day finding on a petition to list Alaska Chinook salmon as a threatened or endangered species under the Endangered Species Act (ESA), which starts a formal status review under the ESA. The result of the status review will be a decision on whether to list any or all GOA Chinook stocks as threatened or endangered under the ESA.

The petition was submitted to NMFS by the Wild Fish Conservancy, a Washington state-based environmental group, and requested ESA listing and designation of critical habitat of any GOA Chinook subpopulations. The massive area under review includes Chinook that spawn in the rivers of Southeast Alaska, Prince William Sound, Cook Inlet, Kodiak, and the Alaska Peninsula. The positive finding indicates that NMFS believes the petition provides substantial information that an ESA listing for these Chinook stocks may be warranted.

NMFS acknowledges that the petition has “numerous factual errors, omissions, incomplete references, and unsupported assertions and conclusions within the petition,” which should have disqualified the petition from consideration under NMFS’s regulations. Despite that, NMFS proceeded and their rationale for making the positive 90-day finding was uncertainty about the cause of missed escapement goals in recent years and evidence of decreasing size and age of Chinook at maturity.

The in-depth ESA status review will synthesize the best available scientific and commercial information on GOA Chinook salmon. NMFS will first attempt to delineate any listable stock groups, termed evolutionarily significant units (ESUs). Then NMFS will determine if any ESU meets the ESA definition for being endangered (in danger of extinction) or threatened (likely to become endangered). The status review evaluation considers all potential threats to each ESU regardless of whether the threat is natural (e.g., disease, predation) or the result of human activities (e.g., overharvest, habitat destruction). Those threats are placed in the context of each ESU’s abundance, spatial distribution, productivity, and diversity.

What You Can Do – Submit Public Comments

NMFS is currently soliciting information on GOA Chinook abundance, distribution, and productivity; harvest; genetics; limiting factors and threats; and impacts of environmental variability. **The public comment period closes on July 23, 2024**, unless ADF&G’s extension request is granted. Electronic public comments can be submitted via the Federal eRulemaking Portal. Go to <https://www.regulations.gov> and enter NOAA-NMFS-2024-0042 in the Search box. Click on the “Comment” icon, complete the required fields, and enter or attach your comments. The notice can be found at 89 Fed. Reg. 45815.

Key Points about the Status Review, GOA Chinook Stocks, and ADF&G Management

- The ESA is an inappropriate tool to address a downturn in Chinook productivity. ADF&G management is designed to protect the long-term productivity of salmon stocks when productivity is low. This is a **significant** action that Alaska opposes.
- Sustainable management is a bedrock concept enshrined in the State of Alaska Constitution. When Alaska assumed management authority of its salmon fisheries in 1960, one year after statehood, many of the state's salmon runs were depressed and its salmon fisheries were in desperate shape. Alaska's first Governor, William Egan, stated in 1960 that the newly created Department of Fish and Game "was handed the depleted remnant of what was once a rich and prolific fishery." Alaska rebuilt salmon runs from abundances that were far lower than they are today, which is a profound example of the resilience of these stocks and the sustainable management practices that have been praised around the world.
- Alaska prioritized spawning escapement as the central tenet of sustained-yield salmon fisheries management and decision making. Escapement goals are based on maximum sustained yield and are not a metric of abundance to maintain a viable population. Failing to meet escapement goals is not evidence that stocks are at risk of extinction. In contrast to that notion, the escapement goals paired with the painful restrictions in fisheries that are implemented when escapement is not met regularly are the results of robust and responsive fishery management that ensures long-term sustained yield. Alaska's salmon management was designed, and is carried out, to avoid the health of stocks ever being jeopardized again like they were under pre-statehood federal management.
- In response to a downturn in productivity and lower Chinook yield, the Board of Fisheries and ADF&G have reduced Chinook exploitation rates substantially in recent years. Additionally, several stocks have been designated as Stocks of Concern and associated action plans with proscriptive management measures have been developed and implemented. These actions have resulted in fishery closures, reduced fishing time and effort, and have impacted fisheries targeting other species that incidentally catch Chinook. Alaskans endure cultural and economic impacts during productivity downturns to ensure the long-term health and productivity of salmon stocks. Timely reductions in fishing pressure in response to downturns in productivity are indicators of Alaska's strong and responsive management approach to ensure the long-term health of subsistence, commercial, and recreational fisheries, rather than evidence of salmon stocks potentially going extinct.
- The downturn in Chinook productivity in Alaska has been largely attributed to changes in the marine environment (i.e., not freshwater habitat). Multidecadal shifts in salmon productivity are normal and have been documented prior to the current productivity downturn. Chinook populations are expected to rebound once ocean conditions become more favorable again.

- The State of Alaska has made substantial investments in salmon research to better understand the causes of recent declines, identify potential solutions, and consider how to better incorporate climatic variability into fishery management. The investments and research are actions to ensure the long-term health of Alaska salmon stocks.
- Freshwater habitat is relatively pristine for most major GOA Chinook-producing watersheds. This is contrary to assertions in the Wild Fish Conservancy's petition and in striking contrast to the considerable habitat degradation in the Pacific Northwest. Alaska's freshwater and marine habitats remain largely intact.
- As NMFS acknowledged, the Wild Fish Conservancy's petition did not present "a complete, balanced representation of the relevant facts, including information that may contradict claims in the petition," (50 C.F.R. § 424.14(d)(5)) as called for in the regulations for ESA listing petitions. NMFS never should have accepted the Wild Fish Conservancy's petition to list GOA Chinook salmon under the ESA as a "reasonable person" should not conclude that GOA Chinook salmon are at risk of going extinct now or in the foreseeable future.
- The use of long-term climate models to predict the status of Chinook stocks into the future requires a host of assumptions that may or may not be accurate. The assessment of whether to list GOA Chinook stocks should not be driven by model assumptions.

Implications of a GOA Chinook ESA listing

A threatened or endangered ESA-listing transfers the management of the listed units and their critical habitats from the State to the federal government. An ESA-listing, in essence, means that NMFS believes state management is insufficient to protect the stocks from going extinct.

ESA listing of Chinook salmon will significantly harm subsistence, commercial, and recreational fisheries, causing cultural and economic harm. The listing of an ESU will move management of that ESU from state control to federal control with restrictions that could span from fishery reductions to no-harvest at all. Any fishery with incidental catch of that Chinook ESU would also be impacted.

Listing means that "critical habitat" for Chinook salmon will be designated, which could encompass a broad swath of freshwater and marine areas. Along with ESA-required consultations and permits, this will add regulatory hurdles for any activities that may affect salmon. Development in watersheds designated as critical habitat would be greatly restricted and require considerable regulatory review.

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Parts 223 and 224

[Docket No. 240520–0140; RTID 0648–XR135]

Endangered and Threatened Wildlife; 90-Day Finding on a Petition To List Gulf of Alaska Chinook Salmon as Threatened or Endangered Under the Endangered Species Act

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: 90-day petition finding; request for information, and initiation of status review.

SUMMARY: We, NMFS, announce a 90-day finding on a petition to list Gulf of Alaska (GOA) Chinook salmon (*Oncorhynchus tshawytscha*), or any evolutionarily significant unit (ESU) that may exist in the petitioned area, as a threatened or endangered species under the Endangered Species Act (ESA) and to designate critical habitat concurrent with the listing. We find that the petition, viewed in the context of information readily available in our files, presents substantial scientific or commercial information indicating that the petitioned action may be warranted. Therefore, we are commencing a review of the status of Gulf of Alaska Chinook salmon to determine whether listing under the ESA is warranted. To ensure that the status review is comprehensive, we are soliciting scientific and commercial information regarding this species from any interested party.

DATES: Scientific and commercial data pertinent to the petitioned action must be received by July 23, 2024.

ADDRESSES: You may submit data and information relevant to our review of the status of GOA Chinook salmon, identified by “Gulf of Alaska Chinook salmon Petition” or by the docket number, NOAA–NMFS–2024–0042, by any of the following methods:

- **Electronic Submissions:** Submit all electronic public comments via the Federal eRulemaking Portal. Go to <https://www.regulations.gov> and enter NOAA–NMFS–2024–0042 in the Search box. Click on the “Comment” icon, complete the required fields, and enter or attach your comments.
- **Mail:** Submit written comments to Anne Marie Eich, Assistant Regional Administrator, Protected Resources Division, Alaska Region NMFS, Attn.

Susan Meyer. Mail comments to P.O. Box 21668, Juneau, AK 99802.

Instructions: Comments sent by any other method, to any other address or individual, or received after the end of the comment period, may not be considered by NMFS. All comments received are a part of the public record and will generally be posted for public viewing on <https://www.regulations.gov> without change. All personal identifying information (e.g., name, address), confidential business information, or otherwise sensitive information submitted voluntarily by the sender will be publicly accessible. NMFS will accept anonymous comments (enter “N/A” in the required fields if you wish to remain anonymous).

The petition is available on the NMFS website at: <https://www.fisheries.noaa.gov/endangered-species-conservation/candidate-species-under-endangered-species-act>.

FOR FURTHER INFORMATION CONTACT: Julie Scheurer, NMFS Alaska Region, julie.scheurer@noaa.gov, (907) 586–7111; or Heather Austin, NMFS Office of Protected Resources, heather.austin@noaa.gov, (301) 427–8422.

SUPPLEMENTARY INFORMATION:

Background

On January 11, 2024, we received a petition from the Wild Fish Conservancy (petitioner) to delineate and list one or more ESUs of Chinook salmon in southern Alaska—which the petition states “encompasses all Chinook populations that enter the marine environment of the Gulf of Alaska”—as threatened or endangered under the ESA, and to designate critical habitat concurrently with the listing. The petition indicates that this “includes all populations on the southern side of the Aleutian Peninsula, Cook Inlet, and the coast of Alaska south of Cook Inlet to the southern end of the Alaska/British Columbia border.” The petition asserts that GOA Chinook salmon are threatened by all of the ESA section 4(a)(1) factors: (1) the present or threatened destruction, modification, or curtailment of habitat or range; (2) overutilization for commercial, recreational, scientific, or educational purposes; (3) disease or predation; (4) the inadequacy of existing regulatory mechanisms to address identified threats; and (5) other natural or manmade factors affecting its continued existence (16 U.S.C. 1533(a)(1), 50 CFR 424.11(c)). The petition is available online (see **ADDRESSES**).

ESA Statutory, Regulatory, and Policy Provisions, and Evaluation Framework

Section 4(b)(3)(A) of the ESA of 1973, as amended (16 U.S.C. 1531 *et seq.*), requires, to the maximum extent practicable that, within 90 days of receipt of a petition to list a species as threatened or endangered, the Secretary of Commerce make a finding on whether that petition presents substantial scientific or commercial information indicating that the petitioned action may be warranted, and to promptly publish such finding in the **Federal Register** (16 U.S.C. 1533(b)(3)(A)). If NMFS finds that substantial scientific or commercial information in a petition indicates the petitioned action may be warranted (a “positive 90-day finding”), we are required to promptly commence a review of the status of the species concerned during which we will conduct a comprehensive review of the best available scientific and commercial information. In such cases, we conclude the review with a finding as to whether the petitioned action is warranted within 12 months of receipt of the petition. Because the finding at the 12-month stage is based on a more thorough review of the available information, as compared to the narrow scope of review at the 90-day stage, a positive 90-day finding does not prejudice the outcome of the status review.

Under the ESA, a listing determination may address a species, which is defined to also include subspecies, and for any vertebrate species, any distinct population segment (DPS) that interbreeds when mature (16 U.S.C. 1532(16)). In 1991, NMFS issued the Policy on Applying the Definition of Species Under the Endangered Species Act to Pacific Salmon (ESU Policy; 56 FR 58612, November 20, 1991). Under this policy, a Pacific salmon population is considered a DPS, and hence a “species” under the ESA, if it represents an “evolutionarily significant unit” of the biological species. The two criteria for delineating an ESU are (1) it is substantially reproductively isolated from other conspecific populations; and (2) it represents an important component in the evolutionary legacy of the species. NMFS has not yet used the ESU Policy to define ESUs of Chinook salmon in the petitioned area of Alaska.

In 1996, NMFS and the U.S. Fish and Wildlife Service (USFWS) (together, “the Services”) adopted a joint policy that clarifies the Services’ interpretation of the phrase “distinct population segment” for the purposes of listing, delisting, and reclassifying a species

under the ESA (61 FR 4722; February 7, 1996). In announcing this policy, the Services indicated that the ESU Policy for Pacific salmon was consistent with the DPS Policy and that NMFS would continue to use the ESU Policy for Pacific salmon.

A species, subspecies, DPS, or ESU is “endangered” if it is in danger of extinction throughout all or a significant portion of its range, and “threatened” if it is likely to become endangered within the foreseeable future throughout all or a significant portion of its range (ESA sections 3(6) and 3(20), respectively, 16 U.S.C. 1532(6) and (20)). Pursuant to the ESA and our implementing regulations, we determine whether species are threatened or endangered based on any one or a combination of the five section 4(a)(1) factors noted above.

ESA-implementing regulations issued jointly by NMFS and USFWS (50 CFR 424.14(h)(1)(i)) define “substantial scientific or commercial information” in the context of reviewing a petition to list, delist, or reclassify a species as “credible scientific or commercial information in support of the petition’s claims such that a reasonable person conducting an impartial scientific review would conclude that the action proposed in the petition may be warranted.” Conclusions drawn in the petition without the support of credible scientific or commercial information will not be considered “substantial information.” In reaching the initial (90-day) finding on the petition, we will consider the information included in the petition as required by sections 50 CFR 424.14(c), (d), and (g) (if applicable).

Our determination as to whether the petition provides substantial scientific or commercial information indicating that the petitioned action may be warranted will depend in part on the degree to which the petition includes the following types of information: (1) information on current population status and trends and estimates of current population sizes and distributions, both in captivity and the wild, if available; (2) identification of the factors under section 4(a)(1) of the ESA that may affect the species and where these factors are acting upon the species; (3) whether and to what extent any or all of the factors alone or in combination identified in section 4(a)(1) of the ESA may cause the species to be an endangered species or threatened species (*i.e.*, the species is currently in danger of extinction or is likely to become so within the foreseeable future), and, if so, how high in magnitude and how imminent the threats to the species and its habitat are;

(4) information on adequacy of regulatory protections and effectiveness of conservation activities by States as well as other parties, that have been initiated or that are ongoing, that may protect the species or its habitat; and (5) a complete, balanced representation of the relevant facts, including information that may contradict claims in the petition. See 50 CFR 424.14(d).

We may also consider information readily available at the time the determination is made. We are not required to consider any supporting materials cited by the petitioner if the petitioner does not provide electronic or hard copies, to the extent permitted by U.S. copyright law, or appropriate excerpts or quotations from those materials (*e.g.*, publications, maps, reports, letters from authorities). See 50 CFR 424.14(c)(6).

At the 90-day finding stage, we do not conduct additional research, and we do not solicit information from parties outside the agency to help us evaluate the petition. We will accept the petitioners’ sources and characterizations of the information presented if they appear to be based on accepted scientific principles, unless we have specific information in our files that indicates the petition’s information is incorrect, unreliable, obsolete, or otherwise irrelevant to the requested action. Information that is susceptible to more than one interpretation or that is contradicted by other available information will not be dismissed at the 90-day finding stage, so long as it is reliable and a reasonable person conducting an impartial scientific review would conclude it supports the petitioners’ assertions. In other words, conclusive information indicating the species may meet the ESA’s requirements for listing is not required to make a positive 90-day finding. We will not conclude that a lack of specific information alone necessitates a negative 90-day finding if a reasonable person conducting an impartial scientific review would conclude that the unknown information itself suggests the species may be at risk of extinction presently or within the foreseeable future.

To make a 90-day finding on a petition to list a species, we first evaluate whether the information presented in the petition, in light of the information readily available in our files, indicates that the petitioned entity constitutes a “species” eligible for listing under the ESA. Next, we evaluate whether the information indicates that the species may face an extinction risk such that listing may be warranted; this may be indicated in information

expressly discussing the species’ status and trends, or in information describing impacts and threats to the species. We evaluate any information on specific demographic factors pertinent to evaluating extinction risk for the species (*e.g.*, population abundance and trends, productivity, spatial structure, age structure, sex ratio, diversity, current and historical range, habitat integrity or fragmentation), and the potential contribution of identified demographic risks to extinction risk for the species. We then evaluate the potential links between these demographic risks and the causative impacts and threats identified in section 4(a)(1) of the ESA.

Information presented on impacts or threats should be specific to the species and should reasonably suggest that one or more of these factors may be operative threats that act or have acted on the species to the point that it may warrant protection under the ESA. Broad statements about generalized threats to the species, or identification of factors that could negatively impact a species, do not constitute substantial information indicating that listing may be warranted. We look for information indicating that not only is the particular species exposed to a factor, but that the species may be responding in a negative fashion; then we assess the potential significance of that negative response.

Many petitions identify risk classifications made by nongovernmental organizations, such as the International Union on the Conservation of Nature (IUCN), the American Fisheries Society, or NatureServe, as evidence of extinction risk for a species. Risk classifications by other organizations or made under other Federal or state statutes may be informative, but such classification alone may not provide the rationale for a positive 90-day finding under the ESA. For example, as explained by NatureServe, their assessments of a species’ conservation status do “not constitute a recommendation by NatureServe for listing under the U.S. Endangered Species Act” because NatureServe assessments have different criteria, evidence requirements, purposes and taxonomic coverage than government lists of endangered and threatened species, and therefore these two types of lists should not be expected to coincide (<https://explorer.natureserve.org/AboutTheData/DataTypes/ConservationStatusCategories>). Additionally, species classifications under IUCN and the ESA are not equivalent; data standards, criteria used to evaluate species, and treatment of uncertainty are not necessarily the

same. Thus, when a petition cites such classifications, we will evaluate the source of information that the classification is based upon in light of the standards on extinction risk and impacts or threats discussed above.

Chinook Salmon Species Description

The following species description is summarized primarily from Groot and Margolis (1991). Chinook salmon (also called “king” salmon) are the largest species of the Pacific salmon. Like all species in the genus *Oncorhynchus*, Chinook salmon are anadromous (meaning they are born in freshwater, migrate to saltwater to feed and grow, and return to freshwater to reproduce or “spawn”) and semelparous (meaning they die after spawning once). Chinook salmon naturally range throughout the North Pacific Ocean from northern Hokkaido to the Anadyr River on the Asian coast and from central California to Kotzebue Sound, Alaska, on the North American coast.

Within their general anadromous life history, Chinook exhibit remarkable variation within populations and across their range. Chinook salmon are typically 3 or 4 years old when they return to spawn; however, age at sexual maturity ranges from 2 to 7 years. Two behavioral forms predominate within the Chinook salmon life history. “Stream type” populations spend one or more years as juveniles in freshwater before migrating to the sea, often making extensive ocean migrations, and return to their natal river in spring or summer to spawn. “Ocean type” Chinook salmon migrate to sea during their first year, often within months of hatching, spend most of their marine phase in coastal waters, and return to their natal rivers in the fall to spawn. In Alaska, most Chinook salmon demonstrate the stream type behavioral form, except for a few ocean type populations in rivers of southern Southeast Alaska near the United States border with Canada.

Evaluation of the Petition and Information Readily Available in NMFS's Files

The petitioners request that NMFS delineate and list one or more ESUs of Chinook salmon in southern Alaska as threatened or endangered under the ESA, and designate critical habitat concurrently with the listing. The petition indicates that this “includes all populations on the southern side of the Aleutian Peninsula, Cook Inlet, and the coast of Alaska south of Cook Inlet to the southern end of the Alaska/British Columbia border.” We interpret the petitioner's request as asking NMFS to consider populations of Chinook salmon

on the southern side of the Alaska Peninsula, including Kodiak Island, Cook Inlet, Prince William Sound, and the GOA coastline and inside waters of Southeast Alaska to the United States/Canada border at approximately 54°45' N latitude. The petition is accompanied by literature citations and electronic copies of supporting material, including published scientific literature and unpublished reports.

In the sections that follow, we provide a synopsis of the assertions made in the petition for the population status and trends and each of the factors identified in section 4(a)(1) of the ESA, followed by our analysis and conclusions that support the 90-day finding.

Population Status and Trends

The petition asserts that since at least 2007, all populations of GOA Chinook salmon have experienced significant declines in abundance compared to levels exhibited in the previous two or more decades. The petition provides as evidence examples of missed escapement goals for some stocks. Additionally, the petition asserts that size and age at maturity have been decreasing across most populations for more than two decades. The petition notes that seven stocks have action plans developed in response to their designations by the State of Alaska as stocks of management concern.

Analysis of ESA Section 4(a)(1) Factors for GOA Chinook Salmon

The petition asserts that GOA Chinook salmon is experiencing threats under each of the categories listed below and under section 4(a)(1) of the ESA.

The Present or Threatened Destruction, Modification, or Curtailment of Its Habitat or Range

The petition asserts that GOA Chinook salmon habitat is degraded by clear-cut logging, erosion and sedimentation, elevated stream temperatures, habitat fragmentation, chemical run-off, road building, fish passage barriers, and mining.

Overutilization for Commercial, Recreational, Scientific, or Educational Purposes

The petition asserts that overharvest by directed commercial fisheries and bycatch in other commercial fisheries threatens the continued existence of GOA Chinook salmon and cites missed escapement goals in recent years to support this assertion. The petition asserts that reduced recreational harvest in 2021 relative to harvest levels in 2005

and 2006 indicates overharvest by the recreational sector.

Disease or Predation

The petition asserts that diseases originating in hatcheries (e.g., furunculosis, piscine reovirus, bacterial gill and kidney disease) have been transmitted to wild populations, driving mortality of all life stages of GOA Chinook salmon.

The petition asserts that predation pressure on adult GOA Chinook salmon is increasing as a result of growing populations of killer whales (*Orcinus orca*), and that humpback whales (*Megaptera novaeangliae*) may be learning to target hatchery releases of Chinook salmon in Southeast Alaska.

Inadequacy of Existing Regulatory Mechanisms

The petition asserts that Federal regulatory mechanisms such as the National Environmental Policy Act, ESA, National Forest Management Act, and Clean Water Act are failing to provide adequate protection to GOA Chinook salmon. The petition broadly states that the State of Alaska's management of salmon fisheries has been inadequate and that the state has not implemented sufficient corrective actions to address missed escapement goals.

Other Natural or Manmade Factors Affecting Its Continued Existence

The petition asserts that artificial propagation of pink salmon increases competition for prey with wild Chinook salmon and has led to decreased rates of growth and survival of Chinook salmon.

The petition asserts that changes in patterns of ocean productivity combined with climate change may be threatening GOA Chinook salmon.

The petition lists numerous potential effects of climate change to freshwater, estuarine, and marine habitats, and assumes that nearly all will have negative effects on GOA Chinook salmon.

Petition Finding

We have reviewed the petition, the literature cited in the petition, and other literature and information available in our files. We identified numerous factual errors, omissions, incomplete references, and unsupported assertions and conclusions within the petition. For example, the petition only presents escapement data through 2021, but in 2022 and 2023, some GOA Chinook salmon populations have shown improvements toward meeting their escapement goals. The petition also makes vague references to threats from

logging, road building, mining, overharvest, and competition from hatchery salmon without providing specific examples. Nonetheless, we find that some of the information in the petition, in particular the missed escapement goals in recent years for many stocks in the petitioned area, and evidence of decreasing size and age at maturity, would lead a reasonable person to believe that the petitioned action may be warranted. Additionally, it is likely that more than one ESU exists within the petitioned area and, without knowing the boundaries of those ESUs, it is challenging to assess the status and trends of subpopulations. In light of this uncertainty and the low statutory standard at the 90-day stage, we conclude that the petitioned action may be warranted. Therefore, in accordance with section 4(b)(3)(A) of the ESA and NMFS' implementing regulations (50 CFR 424.14(h)(2)), we will commence a status review to determine whether GOA Chinook salmon constitute one or more ESUs, and if so, whether any such ESU of GOA Chinook salmon is in danger of extinction (endangered) throughout all or a significant portion of its range, or is likely to become so within the foreseeable future (threatened). The petition stated that "overharvest" should be considered as a factor for listing under the ESA. Potential overharvest of some populations of Chinook salmon and missed escapement targets are not necessarily sufficient to indicate that the species may warrant listing under the ESA. Our status review will examine recent harvest levels and escapement targets along with all of the best available information on the status of the species and potential threats. As required by section 4(b)(3)(B) of the ESA, within 12 months of the receipt of

the petition, we will make a finding as to whether listing any GOA Chinook salmon ESU as an endangered or threatened species is warranted. If listing is warranted, we will publish a proposed rule and solicit public comments before developing and publishing a final rule.

Information Solicited

To ensure that our status review is informed by the best available scientific and commercial data, we are opening a 60-day public comment period to solicit information on GOA Chinook salmon. We request information from the public, government agencies, Alaska Native organizations, the scientific community, industry, conservation groups, fishing groups, or any other interested parties concerning the current and/or historical status of GOA Chinook salmon. Specifically, we request information regarding:

- (1) species abundance;
- (2) species freshwater and saltwater productivity;
- (3) species distribution or population spatial structure;
- (4) patterns of phenotypic, genotypic, and life history diversity;
- (5) habitat conditions and associated limiting factors and threats;
- (6) information on the adequacy of existing regulatory mechanisms, whether protections are being implemented, and whether they are proving effective in conserving the species;
- (7) data concerning the status and trends of identified limiting factors or threats to population persistence;
- (8) information on targeted harvest (commercial and non-commercial) and bycatch of the species;
- (9) information to evaluate the ESU factors, specifically,

- whether any populations are substantially reproductively isolated from other conspecific populations; and
- whether any population represents an important component in the evolutionary legacy of the species;

(10) other new information, data, or corrections including, but not limited to, taxonomic or nomenclatural changes; and

(11) information concerning the impacts of environmental variability and climate change on survival, growth, age, fecundity, recruitment, distribution, and/or extinction risk.

Please send any comments in accordance with the instructions provided in the **ADDRESSES** section above. We request that all information be accompanied by: (1) supporting documentation such as maps, bibliographic references, or reprints of pertinent publications; and (2) the submitter's name, and any association, institution, or business that the person represents. We will base our findings on a review of the best scientific and commercial data available, including relevant information received during the public comment period.

References Cited

A complete list of all references cited herein is available upon request (See **FOR FURTHER INFORMATION CONTACT**).

Authority: The authority for this action is the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 *et seq.*).

Dated: May 20, 2024.

Samuel D. Rauch, III,

Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service.

[FR Doc. 2024–11381 Filed 5–23–24; 8:45 am]

BILLING CODE 3510–22–P



KENAI

City of Kenai | 210 Fidalgo Ave, Kenai, AK 99611-7794 | 907.283.7535 | www.kenai.city

MEMORANDUM

TO: Mayor Gabriel and Council Members

FROM: Terry Eubank, City Manager

DATE: August 13, 2024

SUBJECT: **Action/Approval - Authorizing a Letter of Support of the Kenai Watershed Forum's proposal for WaterSMART Cooperative Management Program Phase I Funding.**

The Kenai Watershed Forum (KWF) has submitted a proposal for Phase I funding under the WaterSMART Cooperative Management Program. This proposal seeks to enhance data-driven management and stakeholder engagement within the Kenai River watershed, a crucial natural resource that supports various fisheries and recreational activities.

I am requesting City Council approval to issue a letter of support for KWF's proposal. The City of Kenai stands to benefit from the proposed project through improved management frameworks and collaborative efforts aimed at safeguarding the Kenai River's water quality.

The Kenai River, with its significant recreational use and environmental value, requires coordinated management. KWF's project will provide essential data analysis and watershed planning to address water quality issues. Supporting this proposal aligns with the City's commitment to environmental stewardship and sustainable resource management.

I recommend that the City Council approve the issuance of the attached letter of support for the Kenai Watershed Forum's WaterSMART Cooperative Management Program Phase I funding proposal.

A copy of letter is attached for your review. If you are in support of the attached letter of support, the following motions should be made:

Motion

To approve the City Manager issuance of the Letter of the Kenai Watershed Forum's (KWF) proposal for WaterSMART Cooperative Management Program Phase I funding to the U.S. Bureau of Reclamation.



City of Kenai | 210 Fidalgo Ave, Kenai, AK 99611-7794 | 907.283.7535 | www.kenai.city

August 21, 2024

U.S. Bureau of Reclamation
Attn: WaterSMART Proposal Review Committee

Dear Review Committee,

This letter is in support of the Kenai Watershed Forum's (KWF) proposal for WaterSMART Cooperative Management Program Phase I funding. The City of Kenai would benefit from the data driven management framework and stakeholder engagement that would result from the proposed project.

With the highest recreational use of any river in Alaska and with multiple federal, state, and local jurisdictions, the Kenai River watershed is complex to manage. All five species of Pacific salmon utilize the Kenai River and its many tributaries. In turn, this ecosystem supports robust commercial, recreational, and traditional & customary fisheries. Ensuring clean water is of the utmost importance for the Kenai River ecosystem and the communities that rely on its many resources. The Kenai River is considered a high priority watershed by the state of Alaska due to past water quality impairments. The proposed data analysis and watershed planning will identify and provide a framework for future actions designed to improve water quality in this iconic watershed. With over 27 years of experience in engaging with stakeholders and the larger Kenai Peninsula community, KWF is well positioned to ensure that the results of these efforts are effective.

We support KWF's project proposal in advancing watershed protection and restoration activities in Alaska. We strongly urge you to support their funding request.

Thank you for your consideration.

Sincerely,

Terry Eubank
City Manager

City of Kenai



KENAI

City of Kenai | 210 Fidalgo Ave, Kenai, AK 99611-7794 | 907.283.7535 | www.kenai.city

MEMORANDUM

TO: Mayor Gabriel and Council Members

FROM: Shellie Saner, City Clerk

DATE: August 15, 2024

SUBJECT: **Action/Approval - Large Resort Endorsement of a Beverage Dispensary Tourism Liquor License for Salamatof Cannery Lodge, LLC**

The following establishment has submitted an application to the Alcohol and Marijuana Control Office (AMCO) for a Large Resort Endorsement:

Applicant: Salamatof Cannery Lodge LLC
D/B/A: Salamatof Cannery Lodge LLC
License Type: Beverage Dispensary/Tourism
License No.: 6111

Pursuant to KMC 2.40, a review of City accounts has been completed on the applicants and they have satisfied all obligations to the City. With the approval of Council, a letter of non-objection to the application will be forwarded to the ABC Board and the applicants.

Your consideration is appreciated.

From: [Sawyer, Jane Preston \(CED\)](#)
To: [City Clerk](#); [Turner, Michele](#); [jkasper@kpb.us](#); [Essert, Sue Ellen](#); [mjenkins@kpb.us](#); [nscarlett@kpb.us](#); [mboehmle@kpb.us](#); [rraidmae@kpb.us](#); [slopez@kpb.us](#); [bcarter@kpb.us](#); [Quainton, Madeleine](#)
Cc: [AMCO Local Government Only \(CED sponsored\)](#)
Subject: Large Resort Endorsement: Salamatof Cannery Lodge BDL Toursim 6111
Date: Wednesday, July 10, 2024 1:12:29 PM
Attachments: [image001.png](#)
[LRE Salamatof Cannery Lodge DBLT 6111.pdf](#)

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Dear Local Government,

Attached is an application for a Large Resort Endorsement which is a new activity under Title 4 (AS 04.09.440).

Sec. 04.09.440. Large resort endorsement. (a) A large resort endorsement authorizes the holder of a beverage dispensary license or a beverage dispensary tourism license that is a large resort to sell or serve alcoholic beverages from multiple locations on the resort property to guests for consumption in areas on the site of the large resort, including a dining room, banquet room, guest room, open air venue, and ingress or egress route between those areas.

(b) The biennial fee for a large resort endorsement is \$200.

(c) The holder of a large resort endorsement shall apply for a multiple fixed counter endorsement under AS 04.09.420 to sell or serve alcoholic beverages from multiple locations within the large resort's property. The locations do not need to be located in the same building or on the same parcel but must be within the boundary of the large resort, as that term is defined in (h) of this section.

(d) The holder of a large resort endorsement may sell or serve alcoholic beverages only from locations on the site of the large resort.

(e) For federal income tax purposes, the profit and loss from the licensed business conducted at locations on the resort under a large resort endorsement, other than guest rooms, must be combined or consolidated with the profit and loss from the licensed business conducted under the multiple fixed counter endorsement.

(f) The holder of a large resort endorsement shall exercise control over conduct of the business in all areas of the licensed premises

(g) A holder of a beverage dispensary license with a large resort endorsement may stock alcoholic beverages in guest rooms, for sale and consumption only in the guest room. Alcoholic beverages stocked under this subsection must be stocked by an employee who is 21 years of age or older, may not be supplied or resupplied during hours that the sale of alcoholic beverages is prohibited as provided under AS 04.16.010(a) and (d), and must be stored in a unit using a key or combination lock system within the guest room. A key lock system must be designed to prevent the removal of the key unless the unit is locked. Except for the licensee, or an agent or employee of the licensee, a key or combination enabling a person to obtain alcoholic beverages stocked in a guest room may be provided only to a guest who occupies the room and who is 21 years of age or older.

(h) In this section, "large resort" means a resort that offers both outdoor recreational activities and overnight lodging to the public and is located on a site consisting of at least 10 contiguous acres containing one or more parcels of real property owned by the licensee or leased by the licensee, or a combination of parcels owned by the licensee and leased by the licensee.

(i) The holder of a beverage dispensary license or a beverage dispensary tourism license who engages in activity for which a large resort endorsement is required under this section without an endorsement under this section commits the offense of unendorsed large resort service.

(j) The holder of a large resort endorsement who fails to comply with the requirements of (c)-(g) of this section commits the offense of large resort endorsement noncompliance.

(k) Unendorsed large resort service is a violation and is punishable by a fine of \$500.

(l) Large resort endorsement noncompliance is a violation.

This is an application that is subject to the 60-day protest period under AS 04.11.480. [This is your official notice of a complete endorsement application.](#)

Licensee's name: Salamatof Cannery Lodge
 Master License: Beverage Dispensary Tourism License # 6111
 Location: 2101 Bowpicker Lane Unit 13
 Contact: kate.schadle@salamagoftribe.com

Please let us know if you have any questions.

Respectfully,

Jane P. Sawyer
Program Coordinator/Acting Director
DCCED-Alcohol and Marijuana Control Office
550 W. 7th Avenue, Suite 1600
Anchorage, AK 99501
907-269-0490



Submit

by Shellie Saner 7/10/2024 2:31:43 PM (Form Submission)

Approve

by David Ross 7/10/2024 3:18:44 PM (Police Department Review)

- The task was assigned to David Ross. The due date is: July 19, 2024 5:00 PM 7/10/2024 2:31:44 PM

Approve

by Cindy Herr 7/10/2024 3:51:41 PM (Legal Asst Review)

■ There are no monies owed in fines or restitution.

- The task was assigned to Cindy Herr. The due date is: July 19, 2024 5:00 PM 7/10/2024 2:31:45 PM

Approve

by Tina Williamson 7/15/2024 1:09:54 PM (Finance Asst Review)

- The task was assigned to Tina Williamson. The due date is: July 19, 2024 5:00 PM 7/10/2024 2:31:44 PM

Approve

by Brandon McElrea 8/2/2024 9:19:52 AM (Lands Review)

- The task was assigned to Max Best. The due date is: July 19, 2024 5:00 PM 7/10/2024 2:31:45 PM
- Max Best reassigned the task to Brandon McElrea 8/2/2024 9:11:05 AM

Approve

by Brandon McElrea 8/2/2024 9:46:23 AM (P&Z Department Review)

■ No Code violations.

- The task was assigned to Max Best. The due date is: August 13, 2024 5:00 PM 8/2/2024 9:19:55 AM
- Max Best reassigned the task to Brandon McElrea 8/2/2024 9:44:52 AM

Approve

by Scott Bloom 8/2/2024 10:08:22 AM (Legal Review)

- The task was assigned to Scott Bloom. The due date is: August 13, 2024 5:00 PM 8/2/2024 9:19:55 AM

Approve

by David Swarner 8/7/2024 9:50:49 AM (Finance Review)

- The task was assigned to David Swarner. The due date is: August 13, 2024 5:00 PM 8/2/2024 9:19:55 AM

Approve

by Jeremy Hamilton 8/16/2024 11:31:07 AM (Fire Marshall Review)

- The task was assigned to Jeremy Hamilton. The due date is: July 19, 2024 5:00 PM 7/10/2024 2:31:44 PM

Approve

by Joe Fisher 8/16/2024 12:31:17 PM (Building Official Review)

- The task was assigned to Joe Fisher. The due date is: July 19, 2024 5:00 PM 7/10/2024 2:31:44 PM

AMCO License Application

Date

7/10/2024

Establishment Information

License Type

Beverage Dispensary Tourism - Large Resort Endorsement

Licensee

Salamatof Cannery Lodge LLC

Doing Business As

Salamatof Cannery Lodge

Premises Address

2291 Bowpicker Lane

City, State

Kenai, AK

Contact Information

Contact Licensee

Kate Schadle

Contact Phone No.

Contact Email

kate.schadle@salamatoftribe.com

Additional Contact Information

Name

Phone No.

Email

Documents

File Upload

LRE Salamatof Cannery Lodge DBLT 6111.pdf

4.96MB



Alcohol and Marijuana Control Office
550 W 7th Avenue, Suite 1600
Anchorage, AK 99501
alcohol.licensing@alaska.gov
<https://www.commerce.alaska.gov/web/amco>
Phone: 907.269.0350

Alaska Alcoholic Beverage Control Board

Beverage Dispensary Endorsement(s) Application

The new endorsement application form is required to apply for an endorsement to support your underlying license or pending license application. Applicants should review and become familiar with AS 04.09.400, 3 AAC 305.330, **Title 04 of Alaska Statutes** and **Chapter 305 of the Alaska Administrative Code**. This form must be completed and submitted along with all other required forms and documents before any endorsement application will be considered complete and placed in the queue for our licensing examiners review.

Section 1 – Establishment and Contact Information

Enter information for the **current** licensee and licensed establish.

| | | | |
|---------------------------|-----------------------------|--------------------|---------------------------------|
| Licensee: | Salamatof Cannery Lodge LLC | License #: | 6111 |
| License Type: | Beverage Dispensary Tourism | Doing Business As: | Salamatof Cannery Lodge |
| Licensee Mailing Address: | PO Box 1425 | | |
| Full Premises Address: | 2291 Bowpicker Lane | | |
| City: | Kenai | State: | AK |
| | | ZIP: | 99611 |
| Local Governing Body: | Borough | Email: | Kate.schadle@Salamatoftribe.com |

Section 2 – Endorsement(s) Requested

Check Here

| | | |
|--|---|-------------------------------------|
| Multiple Fixed Counter Endorsement - list the number of fixed counters you will have | AS 04.09.420. A multiple fixed counter endorsement authorizes the holder of a beverage dispensary license or a beverage dispensary tourism license to sell or serve alcoholic beverages on the licensed premises from multiple fixed counters. For each new multiple fixed counter, the fee is \$1,250. The biennial fee for a multiple fixed counter endorsement is \$200 | <input type="checkbox"/> |
| Hotel or Motel Endorsement: | AS 04.09.430. A hotel or motel endorsement authorizes the holder of a beverage dispensary license or a beverage dispensary tourism license that is a hotel, motel, resort, or similar business premises that caters to the traveling public as a substantial part of its business to sell or serve alcoholic beverages on the licensed premises, including in a dining room, banquet room, and other public areas approved by the board, and in guest rooms. The biennial fee for a hotel or motel endorsement is \$200 + \$25 application fee. | <input type="checkbox"/> |
| Large Resort Endorsement: | AS 04.09.440. A large resort endorsement authorizes the holder of a beverage dispensary license or a beverage dispensary tourism license that is a large resort to sell or serve alcoholic beverages from multiple locations on the resort property to guests for consumption in areas on the site of the large resort, including a dining room, banquet room, guest room, open air venue, and ingress or egress route between those areas. The biennial fee for a large resort endorsement is \$200 + \$25 application fee. | <input checked="" type="checkbox"/> |
| Bowling Alley Endorsement: | AS 04.09.500. A bowling alley endorsement authorizes the holder of a beverage dispensary license or a beverage dispensary tourism license to sell or serve alcoholic beverages in the concourse or lane areas of the bowling alley adjacent to the main bar area. The biennial fee for a bowling alley endorsement is \$200 + \$25 application fee. | <input type="checkbox"/> |
| Golf Course Endorsement: | AS 04.09.510. A golf course endorsement authorizes the owner of a golf course who has obtained a beverage dispensary license or a beverage dispensary tourism license to sell or serve alcoholic beverages on the golf course, driving range, club house and other buildings located on the course, and a vending cart carrying beverages or food to, from, or on the course, excluding the parking lot. The biennial fee for a golf course endorsement is \$200 + \$25 application fee. | <input type="checkbox"/> |



Alcohol and Marijuana Control Office
550 W 7th Avenue, Suite 1600
Anchorage, AK 99501
alcohol.licensing@alaska.gov
<https://www.commerce.alaska.gov/web/amco>
Phone: 907.269.0350

Alaska Alcoholic Beverage Control Board **Beverage Dispensary Endorsement(s) Application**

The below touches on a few of the many requirements, etc. within the different endorsements. Please familiarize yourself with each of the endorsements outlined within this form.

AS 04.09.420. In addition to the fee under (b) of this section, the initial application fee for each fixed counter covered under the endorsement is \$1,250. An initial application for a **multiple fixed counter endorsement** must include an annotated drawing of the location of each fixed counter in the licensed premises.

AS 04.09.430. The holder of a beverage dispensary license or a beverage dispensary tourism license that is a **hotel, motel, resort, or similar business** premises that caters to the traveling public as a substantial part of its business may serve alcoholic beverages at a secondary location located in a building different than the licensed premises for the beverage dispensary license or a beverage dispensary tourism license if the different building. The holder of a hotel or motel endorsement shall exercise control over conduct of the business in all areas of the licensed premises.

AS 04.09.440. The holder of a **large resort endorsement** shall apply for a multiple fixed counter endorsement under AS 04.09.420 to sell or serve alcoholic beverages from multiple locations within the large resort's proper. For federal income tax purposes, the profit and loss from the licensed business conducted at locations on the resort under a large resort endorsement, other than guest rooms, must be combined or consolidated with the profit and loss from the licensed business conducted under the multiple fixed counter endorsement.

AS 04.09.500. The board may issue a **bowling alley endorsement** only if the concourse or lane areas of the bowling alley or both are (1) designated as part of the licensed premises for the beverage dispensary license or a beverage dispensary tourism license; and (2) adjacent to the main bar area.

AS 04.09.510. An application for a **golf course endorsement** must include a drawing of the golf course with an annotated illustration and a description of the portions of the course that are licensed premises and that are intended to be covered by the endorsement.

Section 3 – Areas Covered by Endorsement

Does the endorsement apply to your entire licensed premises as approved by the ABC Board?

Yes



No



Does the requested endorsement expand your currently licensed premises?

Yes



No



- If No, attach the approved diagram, no larger than 8 1/2" x 11" of the layout, and identify the portions of the premises covered by various requested endorsements. You must use a solid, contiguous **colored** line in any color other than red to outline the outer perimeter of the area of the premises covered by the requested endorsement(s).
- If endorsements are overlapping, provide a conspicuous means to distinguish each endorsement from the other (e.g., keyed map with varying colors for each requested endorsement).
- Your drawing **MUST** include:
 - Dimensions in feet **not** square feet of all exterior walls and major interior walls (we do not accept diagrams drawn to scale)
 - Include cross-streets
 - A north arrow, and any significant geographical features. Points of reference, such as a compass showing North.
 - All entrances, exits, walls, bars, and fixtures
- If your premises includes multiple floors, please include a separate diagram of each floor. You must identify the stairs between each floor, and each hallway/corridor that leads to each set of stairs.
- **Any endorsement applications that include outdoor space** are required to submit a security plan that includes information about the barriers, practices, and personnel that are to be used to ensure that alcohol is not introduced or removed from the permitted premises and to prevent the access of alcohol by a minor during the permitted event. A security plan may be requested for other proposed locations on a case-by-case basis.



Alcohol and Marijuana Control Office
 550 W 7th Avenue, Suite 1600
 Anchorage, AK 99501
alcohol.licensing@alaska.gov
<https://www.commerce.alaska.gov/web/amco>
 Phone: 907.269.0350

Alaska Alcoholic Beverage Control Board Beverage Dispensary Endorsement(s) Application

Section 4 – Attestations

Initial

I certify that I understand that providing a false statement on this form or any other form provided by AMCO is grounds for rejection or denial of this application or revocation of any license issued.

I certify that all licensees, agents, and employees who sell or serve alcoholic beverages or check the identification of a patron will complete an approved alcohol server education course, if required by AS 04.21.025, and while selling or serving alcoholic beverages, will carry or have available to show a current course card or a photocopy of the card certifying completion of approved alcohol server education course, if required by 3AAC 305.340.

I agree to provide all information required by the Alcoholic Beverage Control Board in support of this application.

I hereby certify that I am the person herein named and subscribing to this application and that I have read the complete application, and I know the full content thereof. I declare that all of the information contained herein, and evidence of other documents submitted are true and correct. I understand that any falsification or misrepresentation of any item or response in this application, or any attachment, or documents to support this application, is sufficient grounds for denying or revoking a license, and or endorsement. I further understand that this is a Class A misdemeanor under AS 11.56.210 to falsify an application and commit the crime of unsworn falsification.

Kate Schadle

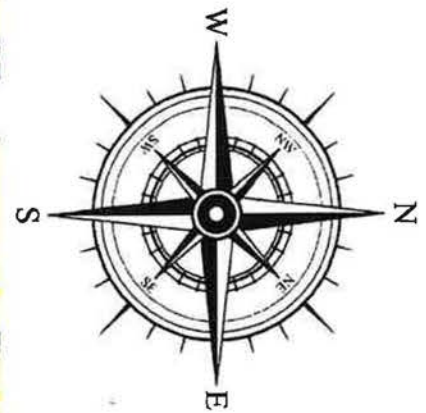
Printed name of licensee

Signature of licensee

02/20/2024

Date





Salamatof Cannery Lodge, LLC
Outside Security Plan

Salamatof Cannery Lodge, LLC d.b.a. Salamatof Cannery Lodge is located at 2291 Bowpicker Lane, Kenai, Alaska 99611. The outside area will be used during the summer months and for special events.

There will be a manager on site at all times, and when the outdoor serving area is open (weather and staffing dependent), there will be staff walking between the indoor area, and outdoor area to monitor alcohol consumption. The outdoor area attached to the old admin building/main bar area has an enclosure that is a chain link fence and is 4 foot fencing all the way around the yard area so no one can take alcohol outside the area.

The stage area outside does not have an enclosure but wait staff and lodge staff monitor the area and a manager is always on site. Staff are always outside watching the stage area and are available for patrons.

We will have the appropriate legal signage posted stating no alcohol beyond this point. When the indoor seating area is open and the outdoor seating area is closed, doors to the outdoor seating area will be closed and used only for emergency egress. Staff in the indoor seating area will monitor, to ensure patrons do not attempt to use the outside area when it is closed.



Alaska Alcoholic Beverage Control Board

Form AB-02: Premises Diagram

Alcohol and Marijuana Control Office
 550 W 7th Avenue, Suite 1600
 Anchorage, AK 99501
alcohol.budcontrol@alaska.gov
<https://www.commerce.alaska.gov/Centil/amsu>
 Phone: 907.268.0350

Why is this form needed?

A detailed diagram of the proposed licensed premises is required for all liquor license applications, per AS 04.11.260 and 3 AAC 504.185. Your diagram must include dimensions and must show all entrances and boundaries of the premises, walls, bars, fixtures, and areas of storage, service, consumption, and manufacturing. If your proposed premises is located within a building or building complex that contains multiple businesses and/or tenants, please provide an additional page that clearly shows the location of your proposed premises within the building or building complex, along with the addresses and/or suite numbers of the other businesses and/or tenants within the building or building complex.

The second page of this form may not be required. Blueprints, CAD drawings, or other clearly drawn and marked diagrams may be submitted in lieu of the second page of this form. The first page must still be completed, attached to, and submitted with any supplemental diagrams. An AMCO employee may require you to complete the second page of this form if additional documentation for your premises diagram is needed.

This form must be completed and submitted to AMCO's Anchorage office before any license application will be considered complete.

Yes No

I have attached blueprints, CAD drawings, or other supporting documents in addition to, or in lieu of, the second page of this form.

☒ ☐

Section 1 – Establishment Information

Enter information for the business seeking to be licensed, as identified on the license application.

| | | | |
|--------------------|--|-----------------|---------------|
| Licensee: | Salamatof Cannery Lodge LLC | License Number: | 6111 |
| License Type: | Outdoor Recreation Lodge | | |
| Doing Business As: | Salamatof Cannery Lodge | | |
| Premises Address: | 2291 Bowpicker Lane, Apt 12 2291 Bowpicker Lane | | |
| City: | Kenai | State: | AK ZIP: 99611 |

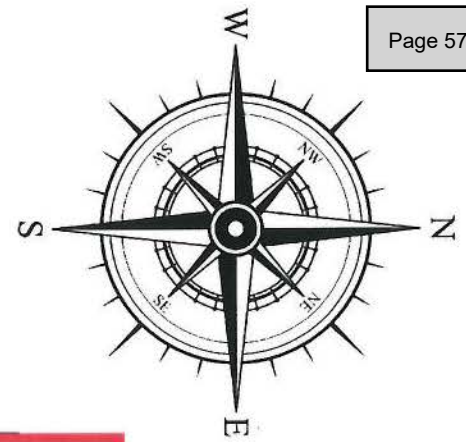
RECEIVED
 OCT 12 2023



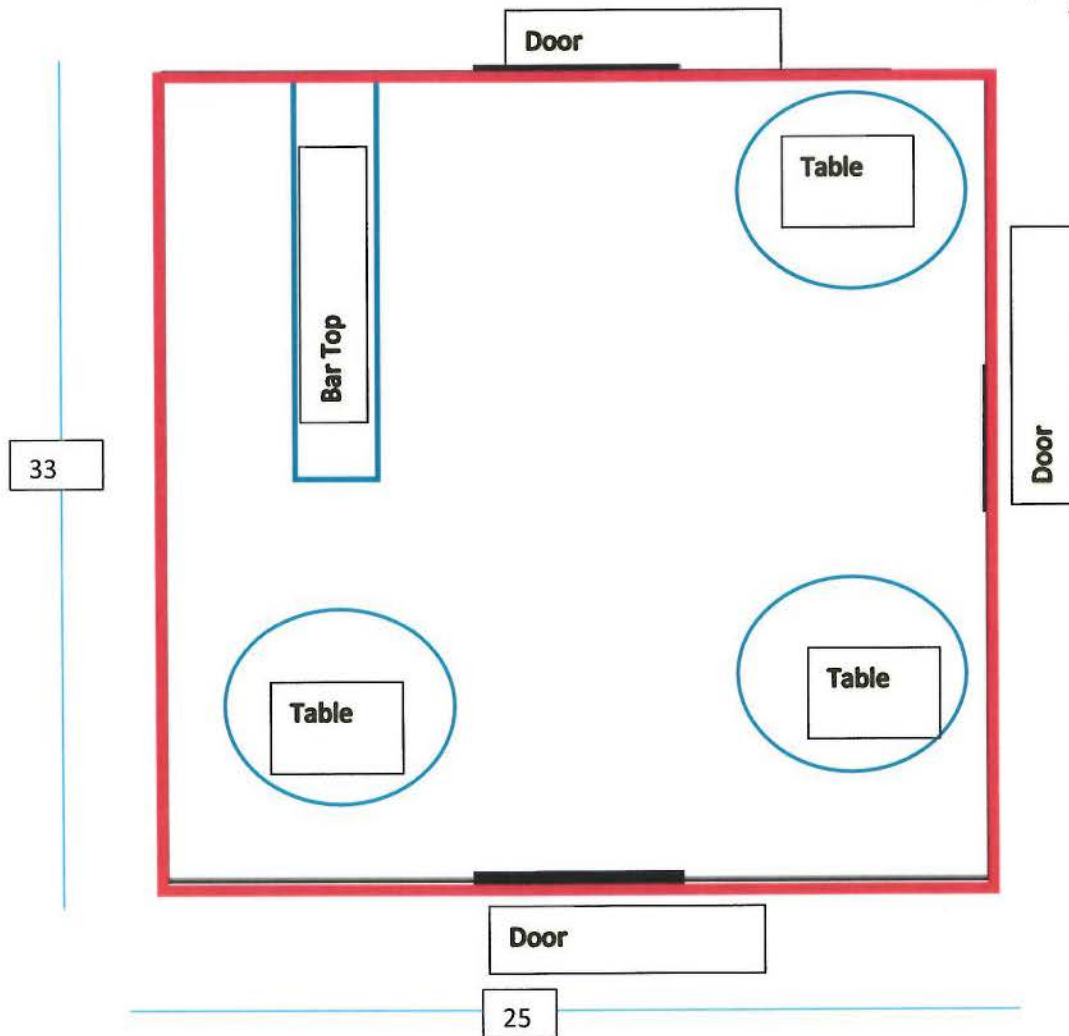
Alaska Alcoholic Beverage Control Board

Form AB-02: Premises Diagram**Section 2 – Detailed Premises Diagram**

Clearly indicate the boundaries of the premises and the proposed licensed area within that property. Clearly indicate the interior layout of any enclosed areas on the proposed premises. Clearly identify all entrances and exits, walls, bars, and fixtures, and outline in red the perimeter of the areas designated for alcohol storage, service, consumption, and manufacturing. Include dimensions, cross-streets, and points of reference in your drawing. You may attach blueprints or other detailed drawings that meet the requirements of this form.

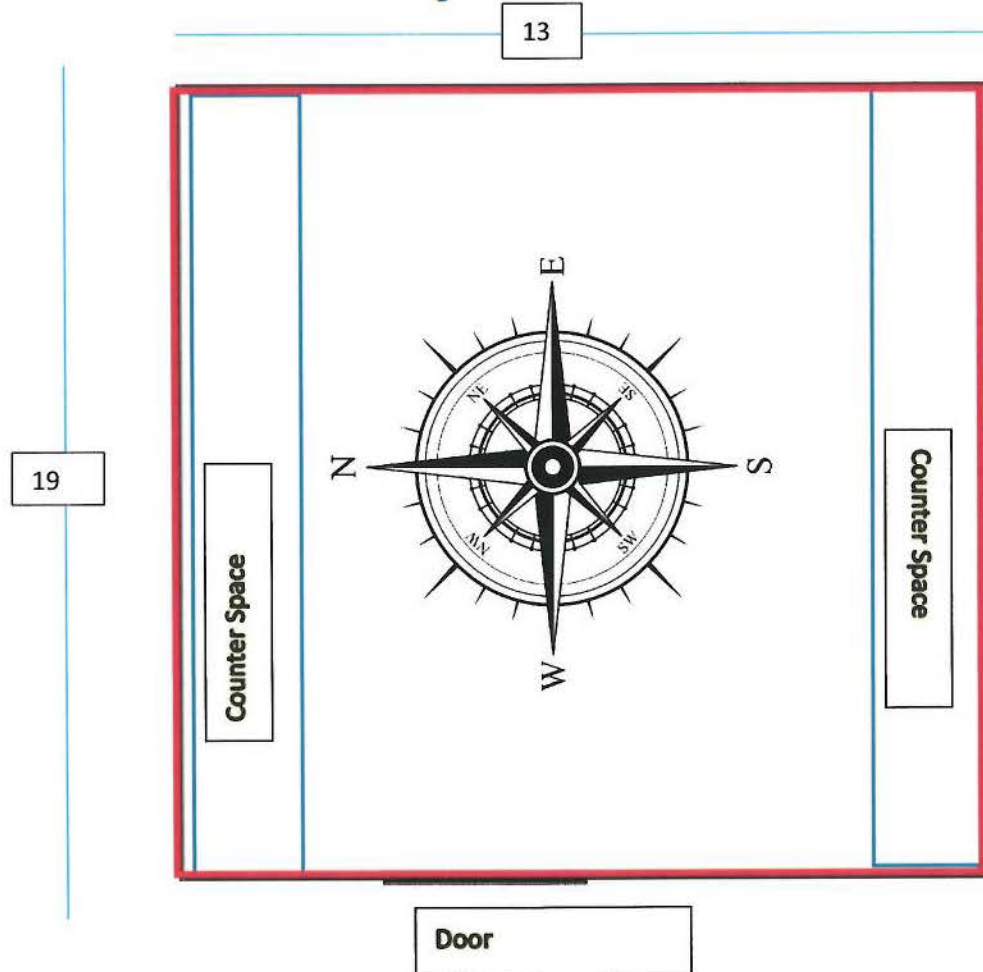


Hydeout

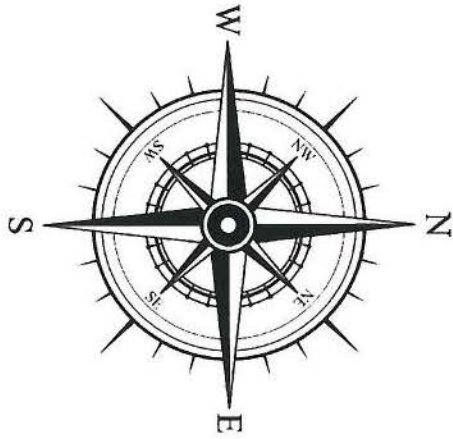


the "Hyde Out" which can be catered for small private events of 30-35 guests.

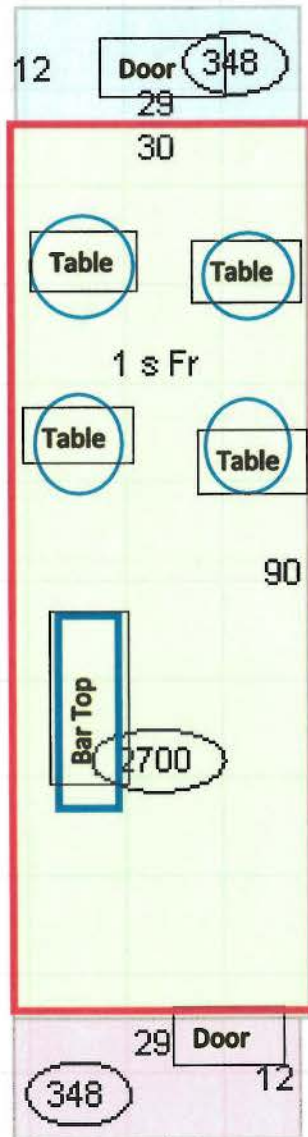
Spirit Shack



An outdoor venue with a deck overlooking the river with a small "Spirit Shack" for dispensing food and liquor. The outdoor venue space and Spirit Shack are used for weddings, concerts, and corporate parties with a capacity of approximately 300 guests. The covered stage area has a grass amphitheater with seating for 250 guests and is used seasonally for summer concerts or other events. This covered stage area may be serviced by personnel in the Spirit Shack or by a portable bar at the stage site.

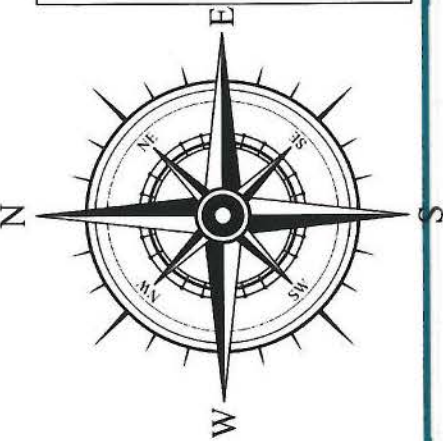


Old Admin Building 2nd floor

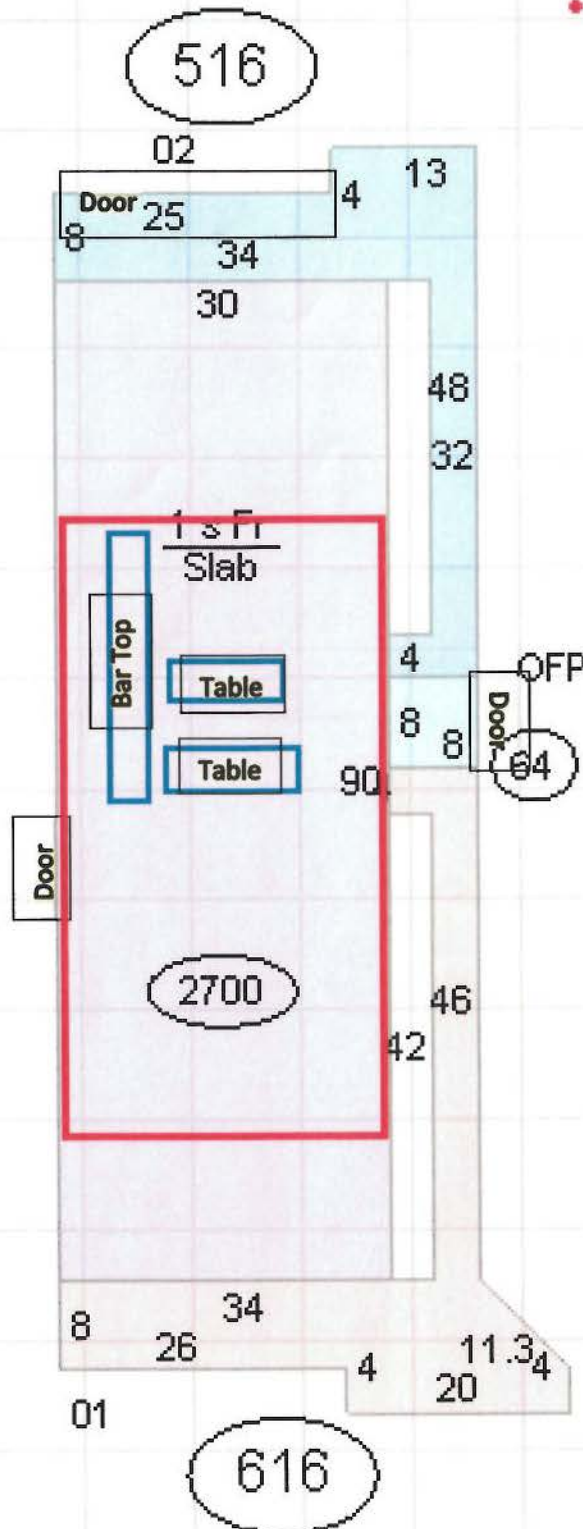


the 2nd floor of the Old Admin with a capacity of 75-100 people and contains a portable bar with approximately 2200 sq. feet of space is used for event space.

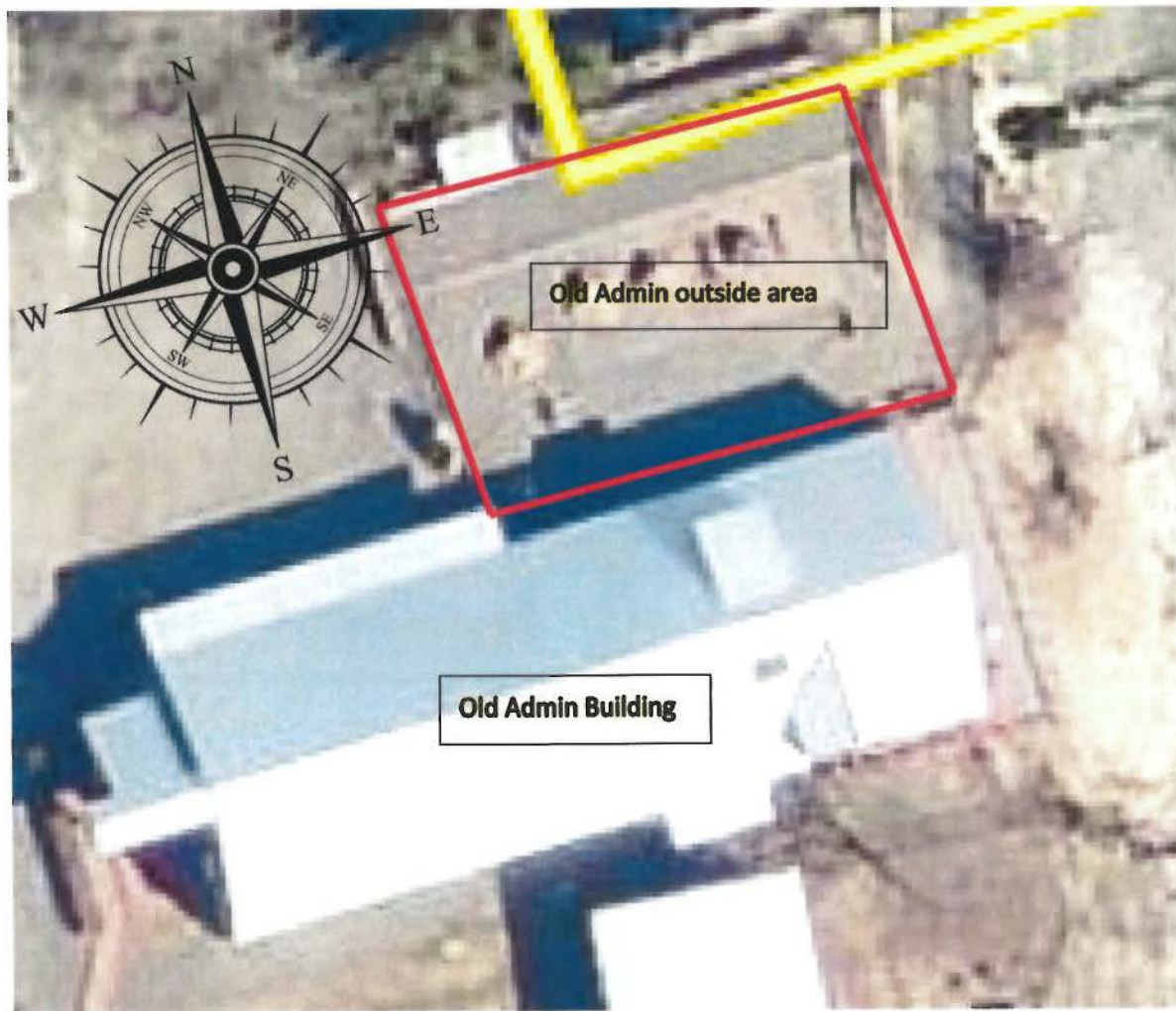
Old Admin Building



Scale: 10 ft



The 1st floor of the old Admin building has a full-service bar and seating for 20 guests with approximately 900 sq. feet of space.



The outdoor area attached to the old admin building/main bar area has an enclosure that is a chain link fence and is 4 foot fencing all the way around the yard area so no one can take alcohol outside the area.



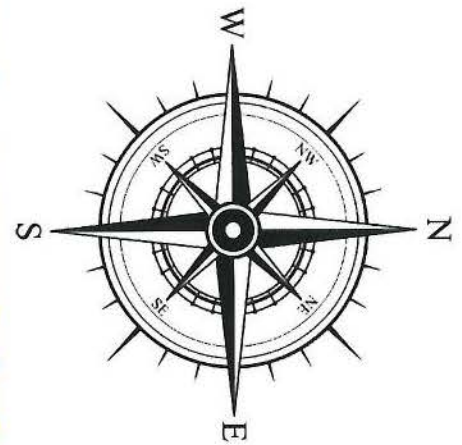
Garage Alcohol Locking Cabinet

DEC 08 2022

AMCO

AMCO



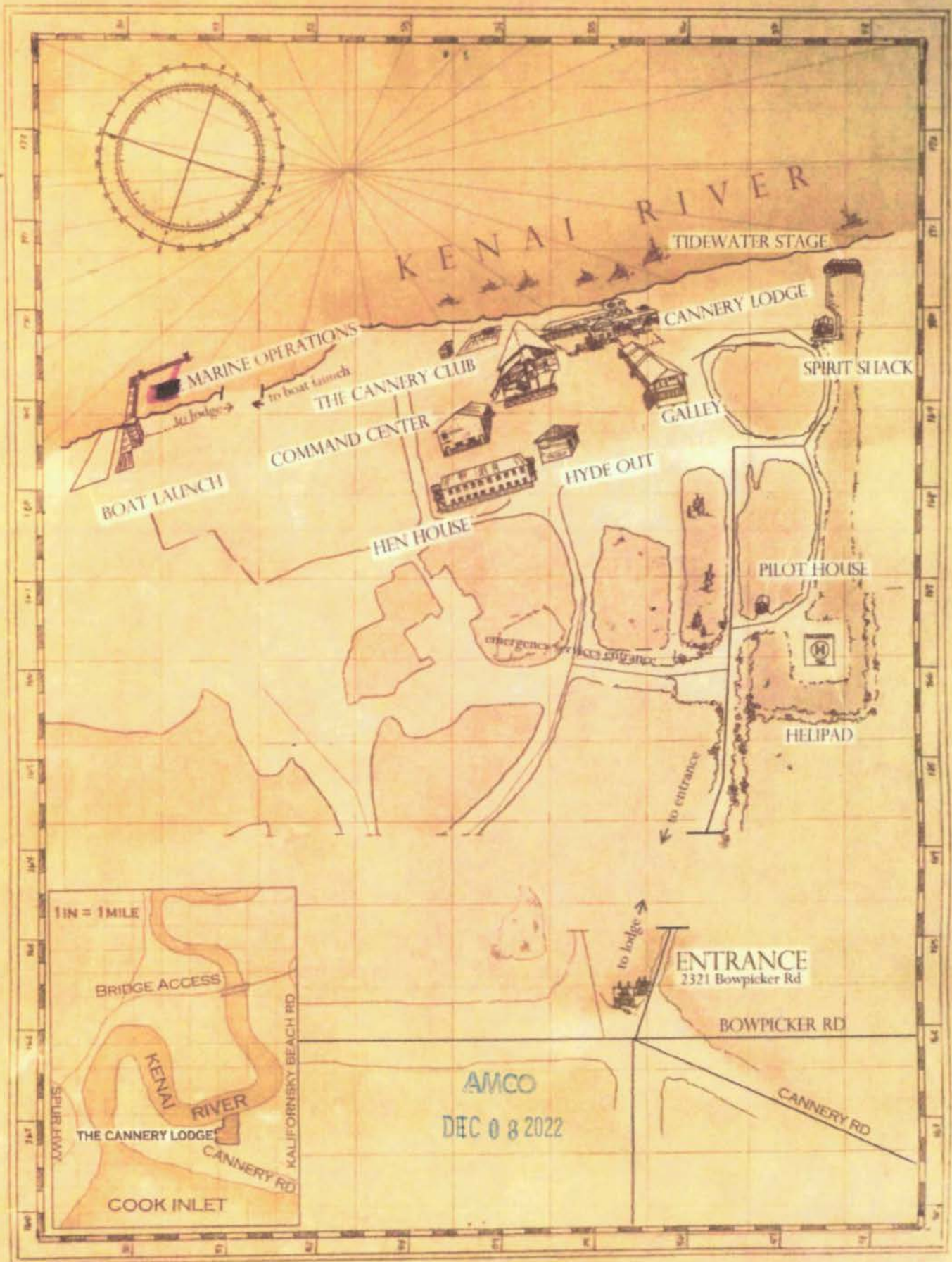


THE CANNERY LODGE – AREAS SERVING ALCOHOL

The main bar is located on the 1st floor of Cannery Lodge, Old Admin building approximately 900 sq feet for 20 guests. The event center is located on the 2nd floor of the Old Admin building with a capacity of 75-100 people and has two separate bar areas, one is portable. Approximately 2200 sq. feet of space. An additional location on the campus the "Hyde Out" can also be catered for small private events 35 people 800 sq ft, and a small "Spirit Shack" for dispensing food and liquor by the outdoor event deck as well as the stage/amphitheater with outdoor seating and covered stage.

Hours of Operation in the Bar are all seasonal variable with variable operating hours.

SMC
DEC 6 8 2022



[illegible]

AMCO
DEC 08 2022



SPIRIT
SHACK

AMCO
DEC 08 2022

STATEMENT OF OPERATION
Salamatof Tribe Cannery Lodge
2022 SUMMARY

In 2022 Salamatof Tribe acquired this commercial facility in Kenai, Alaska on the Kenai River. The setting is a historical cannery site at the old Libby, McNeil and Libby Cannery. The Cannery was eventually sold to Columbia Wards in 1950, becoming Wards Cove Packing in the 1980s.

The previous owner extensively remodeled the various historic cannery buildings. The facility includes an administration building with an event center, several lodging facilities with 38 rooms for client personnel and guests, a kitchen and dining facility for our guests, a small venue event center Hyde-out, several outdoor event areas including a covered stage and amphitheater, an outdoor deck and lawn venue with Spirit House, a garage and warehouse, a private FAA certified Helipad, and a permanent commercial dock on the Kenai River.

The original Lodge opened in early 2015. The current facility is 100% owned by Salamatof Tribe. A new lodge liquor license to sell and dispense alcohol to our guests and for private catered events such as weddings, holiday dinner parties, corporate annual meetings, outdoor concerts and corporate retreats is currently in process.

The Lodge Property is open eight months out of the year generally (May through December), however, special events may be booked at the lodge in the off-season period for private and corporate clients. Staff employees are on site during all operations. The access to the campus is secured with a key-code lock at the front gate. The secure entrance and driveway are exclusively used for this property.

The Event Center is located on the 2nd floor of the Old Admin with a capacity of 75-100 people and contains a portable bar with approximately 2200 sq. feet of space. The 1st floor of the old Admin building has a full-service bar and seating for 20 guests with approximately 900 sq. feet of space. Additional locations on the campus serving alcohol are at the "Hyde Out" which can be catered for small private events of 30-35 guests, an outdoor venue with a deck overlooking the river with a small "Spirit Shack" for dispensing food and liquor. The outdoor venue space and Spirit Shack are used for weddings, concerts, and corporate parties with a capacity of approximately 300 guests. The covered stage area, has a grass amphitheater with seating for 250 guests and is used seasonally for summer concerts or other events. This covered stage area may be serviced by personnel in the Spirit Shack or by a portable bar at the stage site. Several bartenders and several servers work these functions. All personnel involved have completed TAPS training and a bar manager is the administrator for these operations. Hours of operation for these various facilities are variable within the legal liquor service periods of operation.

Several indoor/outdoor concert events may take place. The indoor concerts are generally held in the 2nd floor reception area and the outdoor concert events held on summer weekends are held at the outdoor stage. Gates opening at 4 PM, closing time is generally 11 PM.



Thursday, July 25, 2024

Sent via email: cityclerk@kenai.city

Ms. Shellie Saner, City Clerk
City of Kenai

RE: Non-Objection of Application

| | | |
|--------------------|---|---|
| Licensee/Applicant | : | Salamatof Cannery Lodge LLC |
| Business Name | : | Salamatof Cannery Lodge LLC |
| License Type | : | Beverage Dispensary/Tourism |
| License Location | : | 2101 Bowpicker Lane, Unit 13, City of Kenai |
| License No. | : | 6111 |
| Application Type | : | Large Resort Endorsement |

Dear Ms. Saner,

This serves to advise that the Kenai Peninsula Borough has reviewed the above referenced application and has no objection.

Should you have any questions, or need additional information, please do not hesitate to let us know.

Sincerely,

Michele Turner, CMC
Borough Clerk

cc: kate.schadle@salamatoftribe.com;

<mailto:amco.localgovernmentonly@alaska.gov>



Sponsored by: Administration

**CITY OF KENAI
ORDINANCE NO. 3430-2024**

AN ORDINANCE ACCEPTING AND APPROPRIATING A MEALS ON WHEELS OF AMERICA GRANT IN PARTNERSHIP WITH DOORDASH FOR THE KENAI SENIOR CENTER MEALS ON WHEELS DELIVERY PROGRAM.

WHEREAS, the City recognizes the importance of supporting its senior residents by ensuring they have access to nutritious meals; and,

WHEREAS, the Kenai Senior Center is a long-standing member of the Meals on Wheels Association of America; and,

WHEREAS, Meals on Wheels Association of America has awarded the Kenai Senior Center a grant of \$2,500 to facilitate the use of DoorDash for the delivery of meals to seniors in the community; and,

WHEREAS, as the City of Kenai is committed to enhancing the quality of life for its senior residents through supportive services and community partnerships.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, AS FOLLOWS:

Section 1. That the City Manager is authorized to accept a grant in the amount of \$2,500 from the Meals on Wheels Association of America partnership with DoorDash for expenditures for the Kenai Senior Center meals on wheels delivery program.

Section 2. That the following budget revision is authorized:

Senior Citizen Fund:

Increase Estimated Revenues –
Miscellaneous Grant

\$2,500

Increase Appropriations –
Home Meals – Professional Services

\$2,500

Section 3. Severability: That if any part or provision of this ordinance or application thereof to any person or circumstances is adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part, provision, or application directly involved in all controversy in which this judgment shall have been rendered, and shall not affect or impair the validity of the remainder of this title or application thereof to other persons or circumstances. The City Council hereby declares that it would have enacted the remainder of this ordinance even without such part, provision, or application.

Section 4. Effective Date: That pursuant to KMC 1.15.070(f), this ordinance shall take effect immediately upon enactment.

ENACTED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, THIS 4TH DAY OF SEPTEMBER, 2024.

Brian Gabriel Sr., Mayor

ATTEST:

Michelle M. Saner, MMC, City Clerk

Approved by Finance: _____



| | |
|-------------|-------------------|
| Introduced: | August 21, 2024 |
| Enacted: | September 4, 2024 |
| Effective: | September 4, 2024 |



KENAI

City of Kenai | 210 Fidalgo Ave, Kenai, AK 99611-7794 | 907.283.7535 | www.kenai.city

MEMORANDUM

TO: Mayor Gabriel and Council Members

THROUGH: Terry Eubank, City Manager

FROM: Kathy Romain, Senior Center Director

DATE: August 8, 2024

SUBJECT: **Ordinance No. 3430-2024 - Accepting and Appropriating a Meals on Wheels of America Grant in Partnership with DoorDash for the Kenai Senior Center Meals on Wheels Delivery Program.**

Meals on Wheels Association of America, in collaboration with DoorDash, has launched Project DASH, a pilot program aimed at enhancing meal transportations services for seniors. This initiative is designed to support local meal programs by providing delivery options through DoorDash for a limited period.

The Kenai Senior Center was invited to apply for this grant and staff successfully secured a \$2,500 grant. This funding will allow us to deliver 500 meals to seniors in our community by December 31, 2024, using DoorDash services.

We are grateful for this opportunity to enhance our support for seniors through this innovative partnership.

Thank you for your consideration.



Sponsored by: Administration

**CITY OF KENAI
ORDINANCE NO. 3431-2024**

AN ORDINANCE INCREASING ESTIMATED REVENUES AND APPROPRIATIONS IN THE GENERAL FUND, LAND ADMINISTRATION DEPARTMENT FOR THE PURCHASE OF SURVEY SERVICES TO SUBDIVIDE CITY OF KENAI PARCEL 04901022.

WHEREAS, the City owns a 320-acre parcel, Kenai Peninsula Borough parcel 04901022 located north of Beaver Loop Road and south of the Kenai Spur Highway; and,

WHEREAS, the subject parcel is bordered on two sides by current or past operating gravel pits; and,

WHEREAS, the subject parcel is zoned Rural Residential which does provide for the surface extraction of natural resources by conditional use permit; and,

WHEREAS, the 2016 City of Kenai Comprehensive Plan's, Land Use Plan designation for the subject parcel is Parks, Recreation and Open Space; and,

WHEREAS, the Parks, Recreation and Open Space land use classification indicates "Areas that may be suitable for future natural resource development may be included in this category."; and,

WHEREAS, the City's adopted Land Management Plan's retention status for the subject parcel is Mixed – Retain/Dispose requiring subdivision; and,

WHEREAS, the highest and best use for the southern edge of the subject parcel is gravel extraction; and,

WHEREAS, the resources contained on the subject property are integral in both horizontal and vertical construction projects of the City; and,

WHEREAS, pursuant to Kenai Municipal Code 22.05.110 the parcels created by this subdivision would require an Ordinance declaring the parcel(s) as not needed for a public purpose; and,

WHEREAS, the City solicited quotes for providing the survey services, two of which were received, the lowest responsive quote was for \$15,000, and which is a fair and reasonable price for the work; and,

WHEREAS, subdivision of the parcel into 5 parcels, four of which boarder existing gravel pits, for potential future sale for surface extraction of natural resources is consistent with the City's Land Management Plan, the City's 2016 Comprehensive Plan's Land Use Designation, by Conditional Use Permit in the current zone, is likely the highest and best use for the property and is in the best interest of the City.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, AS FOLLOWS:

Section 1. That estimated revenues and appropriations be increased as follows:

General Fund:

Increase Revenues –

Appropriation of Fund Balance

\$15,000

Increase expenditures –
Land Administration – Professional Services \$15,000

Section 2. Severability: That if any part or provision of this ordinance or application thereof to any person or circumstances is adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part, provision, or application directly involved in all controversy in which this judgment shall have been rendered, and shall not affect or impair the validity of the remainder of this title or application thereof to other persons or circumstances. The City Council hereby declares that it would have enacted the remainder of this ordinance even without such part, provision, or application.

Section 3. Effective Date: That pursuant to KMC 1.15.070(f), this ordinance shall take effect immediately upon enactment.

ENACTED BY THE COUNCIL OF THE CITY OF KENAI, ALASKA, THIS 4TH DAY OF SEPTEMBER, 2024.

Brian Gabriel Sr., Mayor

ATTEST:

Michelle M. Saner, MMC, City Clerk

Approved by Finance: _____



| | |
|-------------|-------------------|
| Introduced: | August 21, 2024 |
| Enacted: | September 4, 2024 |
| Effective: | September 4, 2024 |



KENAI

City of Kenai | 210 Fidalgo Ave, Kenai, AK 99611-7794 | 907.283.7535 | www.kenai.city

MEMORANDUM

TO: Mayor Gabriel and Council Members

THROUGH: Terry Eubank, City Manager

FROM: Max Best, Interim Planning Director

DATE: August 14, 2024

SUBJECT: **Ordinance No. 3431-2024 - Increasing Estimated Revenues and Appropriations in the General Fund, Land Administration Department for the Purchase of Survey Services to Subdivide City of Kenai Parcel 04901022**

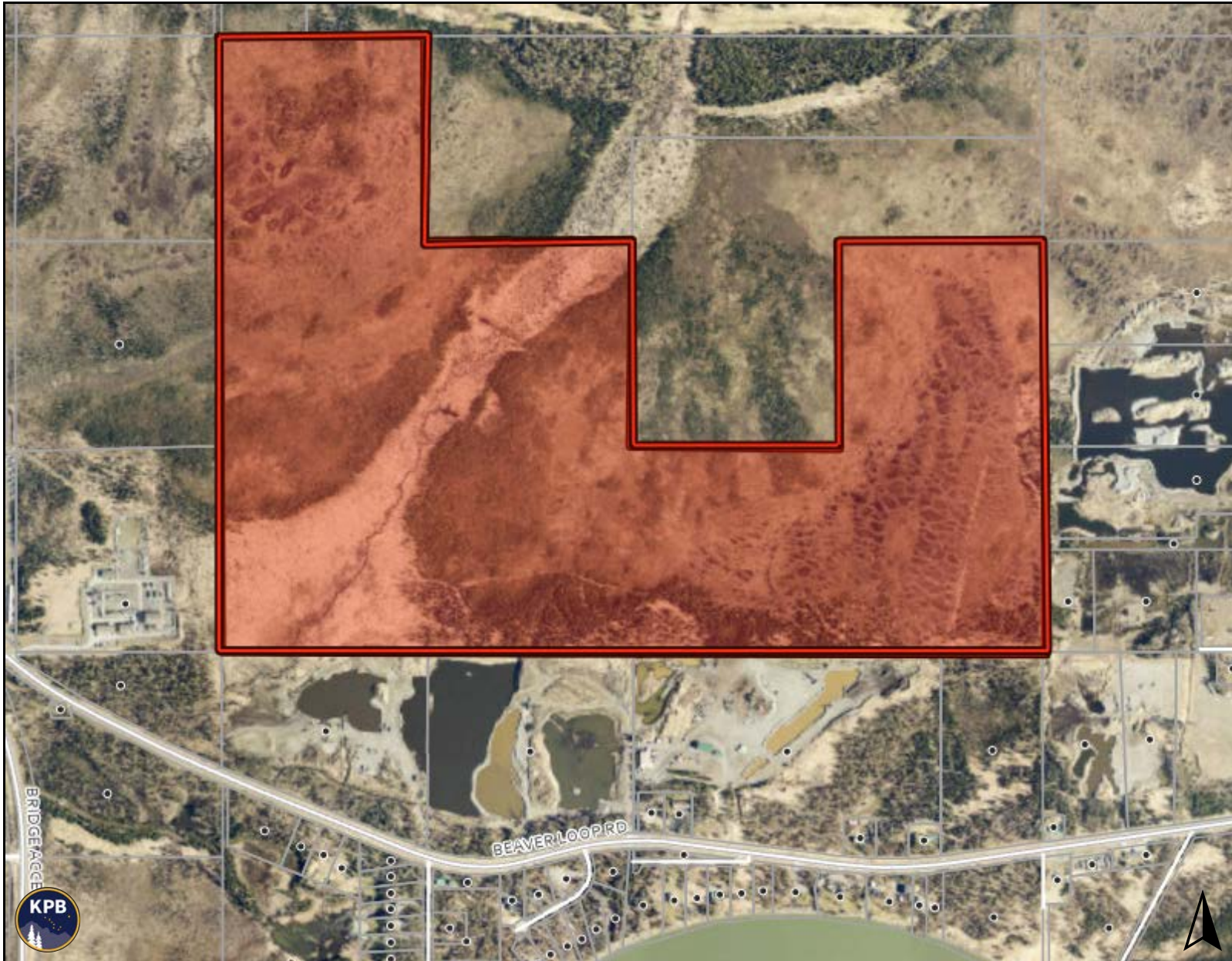
The City owns a 320-acre parcel in the Beaver Loop area. Administration recommends to subdivide the parcel for future resource extraction. The parcel is currently bordered on two sides with existing permitted resource extraction sites. The Subdivision will consist of four lots along the southern edge ranging in size from 25 to 30 acres with a large remainder tract to the north.

In March of 2019 an engineering consultant hired by the City excavated ten test pits and determined the southern portion the site has an adequate quality and quantity of marketable gravel for future construction projects in the City.

The parcel is zoned Rural Residential which provides for the surface extraction of natural resources by conditional use permit. The City of Kenai Comprehensive Plan's, Land Use Plan designation is Parks, Recreation and Open Space which indicates "Areas that may be suitable future natural resource development may be include in this category." The City's adopted Land Management Plan's retention status is Mixed-Retain/Dispose requiring subdivision and states gravel extraction may be feasible along the southern edge of the parcel. Additionally, in accordance with Kenai Municipal Code 22.05.110 the parcels created by this subdivision would require a future Ordinance declaring the parcel(s) as not needed for public purpose prior to any sale.

The City solicited quotes for providing survey services for the subdivision of the property and revived two responsive quotes, the lowest being \$15,000 which is fair and reasonable for the work.

Your consideration is appreciated.



Legend

Physical Addresses

Transportation

Mileposts

Roads

- Medium Collector
- Medium Volume - Unmaintained
- Medium Volume - Maintained
- Low / Seasonal
- Legal Trail
- Private
- State Hwy
- Platted / Proposed

Parcels and PLSS

Parcels



9" Imagery

- Red: Red
- Green: Green
- Blue: Blue

0 1500 3000 ft

NOTE: Every reasonable effort has been made to ensure the accuracy of these data. However, by accepting this material, you agree that the Kenai Peninsula Borough assumes no liability of any kind arising from the use of this data. The data are provided without warranty of any kind, either expressed or implied, including but not limited to time, money or goodwill arising from the use, operation or modification of the data. In using these data, you further agree to indemnify, defend, and hold harmless Kenai Peninsula Borough for any and all liability of any nature arising from the lack of accuracy or correctness of the data, or use of the data.

**KENAI AIRPORT COMMISSION – REGULAR MEETING
AUGUST 8, 2024 – 6:00 P.M.
KENAI CITY COUNCIL CHAMBERS
210 FIDALGO AVE., KENAI, AK 99611
CHAIR GLENDA FEEKEN, PRESIDING**

ACTION MINUTES

A. CALL TO ORDER

A Regular Meeting of the Airport Commission was held on August 8, 2024, in the Kenai City Council Chambers, Kenai, AK. Chair Feeken called the meeting to order at approximately 6:00 p.m.

1. Pledge of Allegiance

Chair Feeken led those assembled in the Pledge of Allegiance.

2. Roll Call

There were present:

Glenda Feeken, Chair
Dan Knesek
Joshua Belter

Paul Minelga, Vice Chair
James Zirul

A quorum was present.

Absent:

Jacob Caldwell

James Bielefeld

Also in attendance were:

Derek Ables, Airport Manager
Sarah Conley, Airport Administrative Assistant
Henry Knackstedt, City Council Liaison

3. Agenda Approval

MOTION:

Vice Chair Minelga **MOVED** to approve the agenda as presented. Commissioner Knesek **SECONDED** the motion.

VOTE: There being no objection; **SO ORDERED.**

B. SCHEDULED PUBLIC COMMENTS - None.

C. UNSCHEDULED PUBLIC COMMENTS - None.

D. APPROVAL OF MINUTES

1. July 11, 2024

MOTION:

Vice Chair Minelga **MOVED** to approve the July 11, 2024 Airport Commission minutes. Commissioner Knesek **SECONDED** the motion.

VOTE: There being no objection; **SO ORDERED.**

E. UNFINISHED BUSINESS – None.

F. NEW BUSINESS

1. **Discussion**– On the Commission’s annual work plan objectives.

Airport Manager Ables summarized airport projects, funding and timelines.

The Commission discussed and there was general consensus that the area Taxiway Sierra would service could have many potential land uses and designs. The Commission requested for updated past analysis to fit cement market; Ables noted that he is currently working on this with consultants.

G. REPORTS

1. Airport Manager – Airport Manager Ables reviewed the report provided in the packet.
2. Commission Chair – No report.
3. City Council Liaison – Council Member Knackstedt reported on recent actions of the City Council.

H. ADDITIONAL PUBLIC COMMENTS – None.

I. NEXT MEETING ATTENDANCE NOTIFICATION – September 12, 2024

J. COMMISSION QUESTIONS AND COMMENTS

Vice Chair Minelga asked whether air carriers with over nine seats would need to go through TSA.

K. ADJOURNMENT

L. INFORMATIONAL ITEMS

1. Administrative Report

There being no further business before the Airport Commission, the meeting was adjourned at 6:44 p.m.

I certify the above represents accurate minutes of the Airport Commission meeting of July 11, 2024.

Meghan Thibodeau
Deputy City Clerk

**KENAI HARBOR COMMISSION – REGULAR MEETING
AUGUST 12, 2024 – 6:00 P.M.
KENAI CITY COUNCIL CHAMBERS
210 FIDALGO AVE., KENAI, AK 99611
CHAIR PRO TEMPORTE JOHN COSTON, PRESIDING**

ACTION MINUTES

A. CALL TO ORDER

A Regular Meeting of the Harbor Commission was held on August 12, 2024, in the Kenai City Council Chambers, Kenai, AK. Commissioner Coston called the meeting to order at approximately 6:00 p.m.

Having no presiding officer present in chambers, the first order of business was the election of a Chair Pro Tempore.

MOTION:

Commissioner Moffis **NOMINATED** Commissioner Coston to serve as Chair Pro Tempore for the meeting.

VOTE: There being no objection; **SO ORDERED.**

1. Pledge of Allegiance

Chair Pro Tempore Coston led those assembled in the Pledge of Allegiance.

2. Roll Call

There were present:

John Coston
Matthew Moffis

Lisa Gabriel, Chair (*electronic participation*)
Jeanne Reveal, Vice Chair (*electronic participation*)

A quorum was present.

Also in attendance were:

Scott Curtin, Public Works Director
Lisa List, Public Works Administrative Assistant
Shellie Saner, City Clerk
Deborah Sounart, City Council Member

3. Agenda Approval

MOTION:

Commissioner Moffis **MOVED** to approve the agenda as presented. Commissioner Gabriel **SECONDED** the motion.

VOTE: There being no objection; **SO ORDERED.**

B. SCHEDULED PUBLIC COMMENTS - None.

C. UNSCHEDULED PUBLIC COMMENTS - None.

D. APPROVAL OF MINUTES

1. May 6, 2024 Regular Meeting
2. July 1, 2024 Special Meeting

MOTION:

Commissioner Moffis **MOVED** to approve the May 6, 2024 and July 1, 2024 Harbor Commission minutes.
Commissioner Gabriel **SECONDED** the motion.

VOTE: There being no objection; **SO ORDERED**.

E. UNFINISHED BUSINESS

1. Completion of Annual Work Plan

MOTION:

Commissioner Moffis **MOVED** to recommend City Council approval of Objective "Signage."
Commissioner Gabriel **SECONDED** the motion.

UNANIMOUS CONSENT was requested on the motion.

VOTE: There being no objection; **SO ORDERED**.

MOTION:

Commissioner Reveal **MOVED** to recommend City Council approval of Objective "Reduce Fish Waste at Dipnet Sites." Commissioner Gabriel **SECONDED** the motion.

VOTE:

YEA: Gabriel, Reveal, Moffis, Coston

NAY: None.

MOTION PASSED UNANIMOUSLY.

MOTION:

Chair Pro Tempore Coston **MOVED** to recommend City Council approval of Objective "Review Harbor Master Plan." Commissioner Gabriel **SECONDED** the motion.

The motion was withdrawn.

MOTION:

Chair Pro Tempore Coston **MOVED** to recommend City Council approval of Objective "Conduct Harbor Use Survey." Commissioner Gabriel **SECONDED** the motion.

UNANIMOUS CONSENT was requested on the motion.

VOTE: There being no objection; **SO ORDERED**.

MOTION:

Chair Pro Tempore Coston **MOVED** to recommend City Council approval of Objective "Support City Council in moving Waterfront Revitalization Plan forward." Commissioner Reveal **SECONDED** the motion.

UNANIMOUS CONSENT was requested on the motion.

VOTE: There being no objection; **SO ORDERED**.

MOTION:

Chair Pro Tempore Coston **MOVED** to recommend City Council approval of Objective "Parking for city dock and dip net areas." Commissioner Reveal **SECONDED** the motion.

MOTION TO AMEND:

Commissioner Gabriel **MOVED** to amend the Objective as follows:

Strategy to read: “Identify if there is a need to improve [AND EXPAND] parking at city dock and expand to off-site parking.”

Commissioner Reveal **SECONDED** the motion.

VOTE ON MOTION TO AMEND:

YEA: Gabriel, Reveal, Moffis, Coston

NAY: None.

MOTION TO AMEND PASSED UNANIMOUSLY.

VOTE ON MAIN MOTION AS AMENDED:

YEA: Gabriel, Reveal, Moffis, Coston

NAY: None.

MOTION PASSED UNANIMOUSLY.

MOTION:

Chair Pro Tempore Coston **MOVED** to recommend City Council approval of Objective “Explore other sources of income at city dock and north and south beach.” Commissioner Gabriel **SECONDED** the motion.

UNANIMOUS CONSENT was requested on the motion.

VOTE: There being no objection; **SO ORDERED.**

MOTION:

Chair Pro Tempore Coston **MOVED** to recommend City Council approval of Objective “Harbor goals in Imagine Kenai 2030 Comprehensive Plan.” Commissioner Moffis **SECONDED** the motion.

UNANIMOUS CONSENT was requested on the motion.

VOTE: There being no objection; **SO ORDERED.**

F. NEW BUSINESS - None.

G. REPORTS

1. Public Works Director – Director Curtin reported on the following:

- Update on Bluff Project.
- Mud moving next few weeks.
- Update on Dipnet fishing.

2. Commission Chair – No report

3. City Council Liaison – Council Member Sounart reported on recent actions of the City Council.

H. ADDITIONAL PUBLIC COMMENTS

I. NEXT MEETING ATTENDANCE NOTIFICATION

a. September 9, 2024

J. COMMISSION QUESTIONS AND COMMENTS

K. ADJOURNMENT

L. INFORMATIONAL ITEMS

There being no further business before the Harbor Commission, the meeting was adjourned at 6:58 p.m.

I certify the above represents accurate minutes of the Harbor Commission meeting of August 12, 2024.

Meghan Thibodeau
Deputy City Clerk

DRAFT



KENAI

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MEMORANDUM

TO: Mayor Gabriel and Council Members

FROM: Terry Eubank, City Manager

DATE: August 15, 2024

SUBJECT: **Temporary Moratorium on Animal Intake from Outside the Cities of Kenai and Soldotna**

The purpose of this memo is to inform the City Council of a temporary moratorium on animal intake at the Kenai Animal Shelter from outside the Cities of Kenai and Soldotna. This action is necessary due to significant staffing and capacity challenges currently facing the Kenai Animal Shelter.

Due to the recent resignation of the newly appointed Chief Animal Control Officer and the onboarding of a new Animal Control Officer, the shelter, which is normally staffed with three full-time positions, is operating under strained conditions. Additionally, accepting animals from outside the City of Kenai and the City of Soldotna (with which the City has an agreement for Animal Control Shelter Services) has further exacerbated overcrowding and operational difficulties.

Since the onset of the COVID-19 pandemic, animal shelters nationwide have experienced a substantial increase in intakes, leading to overcrowded facilities. The Kenai Animal Shelter is no exception. Although intake has been managed based on available space and resources, the continued acceptance of animals from outside the contracted service area has become unsustainable at this time.

In response to these challenges, a temporary moratorium on the intake of animals from outside the Cities of Kenai and Soldotna has been implemented. This moratorium will provide the Kenai Animal Shelter with the necessary respite to manage the current population, improve conditions, and reevaluate intake policies to ensure sustainability. The moratorium may be lifted once the shelter is no longer overwhelmed and can resume normal operations.

This temporary measure is intended to ensure the welfare of the animals in the shelter's care, improve staff working conditions, and maintain the quality of services provided to the residents of Kenai.



KENAI

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MEMORANDUM

TO: Mayor Brian Gabriel and Kenai City Council
THROUGH: Terry Eubank, City Manager
FROM: Derek Ables, Airport Manager
DATE: August 12, 2024
SUBJECT: **Airport Mid-month Report July 2024**

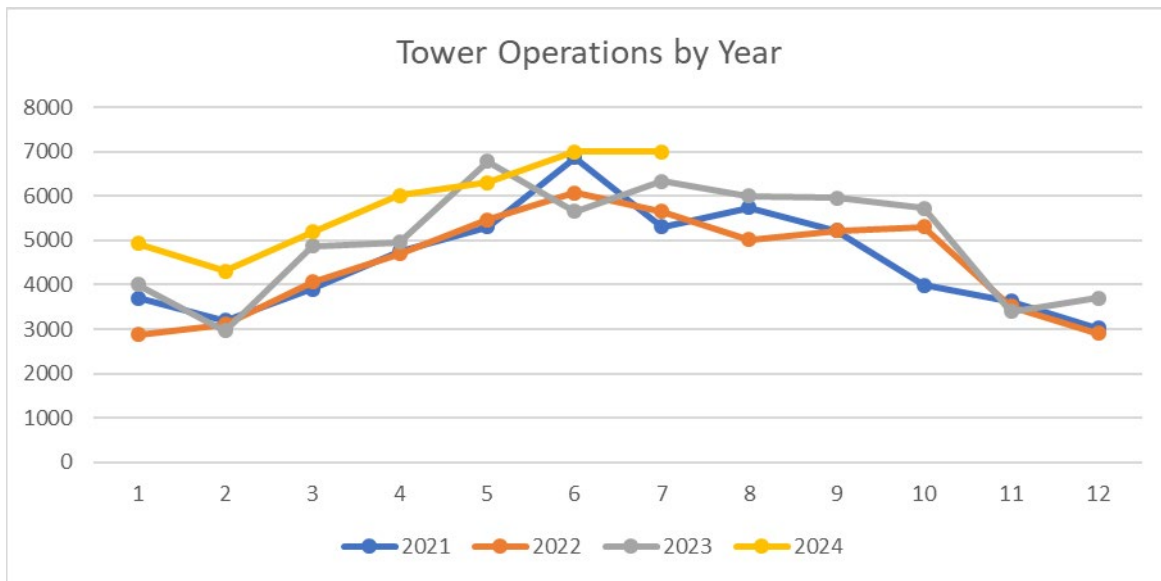
Annual Wildlife Hazard Management Plan Review- The Airport held this meeting on July 16, 2024. This is a crucial meeting dedicated to evaluating and enhancing strategies for mitigating wildlife-related risks on and around airport grounds. This review is an essential part of the airport's ongoing commitment to ensuring the safety of both passengers and aircraft. During the meeting we discussed recent wildlife activity trends, assessed the effectiveness of current mitigation measures, and discussed new technologies and practices to improve overall hazard management. The collaborative efforts of airport personnel and the police department underscores the importance of maintaining a proactive approach to wildlife management in an ever-changing environment.

Airport Tour- On July 17, the Civil Air Patrol embarked on an informative tour, exploring various key facilities. Their visit included stops at the Administrative offices, where they gained insight into the organizational aspects, and the Aircraft Rescue and Firefighting (ARFF) station, where they learned about emergency response operations. The group also toured the maintenance building, and concluded their visit at the Flight Service Station, where they were introduced to the crucial role of flight planning and safety monitoring in aviation.

Terminal Landscaping- On July 29th, airport and public works employees, met with Moores Landscaping for a pre-construction meeting. We discussed the timeline for the project, staging areas, and possible constraints.

Tower Air Traffic Operations

| Year | 2021 | 2022 | 2023 | 2024 |
|--------------|--------------|--------------|--------------|--------------|
| January | 3709 | 2882 | 4009 | 4927 |
| February | 3196 | 3117 | 2965 | 4313 |
| March | 3908 | 4069 | 4874 | 5192 |
| April | 4762 | 4697 | 4957 | 6022 |
| May | 5306 | 5472 | 6786 | 6297 |
| June | 6872 | 6072 | 5660 | 6998 |
| July | 5313 | 5654 | 6337 | 6991 |
| August | 5747 | 5020 | 6007 | |
| September | 5218 | 5215 | 5950 | |
| October | 3990 | 5312 | 5724 | |
| November | 3636 | 3517 | 3404 | |
| December | 3018 | 2907 | 3699 | |
| Total | 54675 | 53934 | 60372 | 40740 |





KENAI

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MEMORANDUM

TO: Mayor Gabriel and Council Members

THROUGH: Terry Eubank, City Manager

FROM: Dave Swarner, Finance Director

DATE: August 15, 2024

SUBJECT: Finance Department Mid-Month Report – July 2024

The department completed its part of the 2024 Personal Use Fishery management and is working toward completion of the annual report on the fishery. Fishery revenue was \$516,942 which was 104.85% of the FY2025 budgeted amount of \$493,038. Total expenditures are still being compiled and a full financial analysis will be part of the annual report.

With the end of FY2024, the department's focus has switched to closing of that year's books and completion of the City's Annual Comprehensive Financial Report. This process includes closing of the FY24 financial records, fiscal year end grant reporting, completion of the annual Audit and finally financial statement preparation. The annual audit is scheduled for the first week of November.



MEMORANDUM

TO: Mayor Gabriel and Council Members

THROUGH: Terry Eubank, City Manager

FROM: Jay Teague, Fire Chief

DATE: August 5, 2024

SUBJECT: Fire Department Mid-Month Report – July.

For July, we experienced a .7% call volume increase from the previous year. While we had fewer EMS runs, we had a considerable increase in water rescue response. During the month of July,

| July | 2023 | 2024 | % change |
|--------------|------|------|----------|
| Month totals | 135 | 138 | 1.5% |
| EMS | 105 | 90 | -14.2% |
| All Other | 30 | 48 | 60% |
| Year total | 848 | 885 | 4.3% |

Training:

- All KFD personnel completed their ARFF firefighter training & Apparatus Training.
- A Shift (Medical Protocol Training; New Medication Training.
- B Shift (Two days of Rope Rescue Training)
- C Shift (City Water System Training; Flow MSP; FF1 skills)

Projects/Grants:

- Chief Teague started work July 15th.
- KFD took delivery of the two new ambulances. Will be hosting a dedication ceremony on August 17th.
- Chief Teague and DC Harris attended multiple board meetings – AFCA, KPFCFA, and KPESI (various dates).
- Chief Teague and Capt. Summers attended LEPC Council.
- Fire Marshal Jeremiah Hamilton performed 25 inspections (4 Building Official; 13 Fire Inspections; 6 Follow-Up Inspections; 2 Apartment Inspections).



KENAI

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MEMORANDUM

TO: Mayor Brian Gabriel and Kenai City Council

THROUGH: Terry Eubank, City Manager

FROM: Stephanie Randall, Human Resources Director

DATE: August 14, 2024

SUBJECT: Human Resources Activity – July 2024

Recruitment

Human Resources continued to work with the City Manager's office to actively recruit for the Planning Director position. The Police Department hired a new Animal Control Officer and began recruitment for a Police Officer. The Library hired a temporary janitor and temporary Library Aide to cover short-term vacancies. The Senior Center recruited for two part time driver positions. Parks and Recreation hired and onboarded 14 Personal Use Fishery Attendants and Cashiers. The new Fire Chief began work on July 15.

Safety

There were six accidents reported in July with one resulting in an employee injury. A Workers' compensation claim was filed for the work-related injury.

Special Projects

Human Resources worked with administration to update the Employee Handbook.

MEMORANDUM

TO: Mayor Brian Gabriel and Kenai City Council

THROUGH: Terry Eubank, City Manager

FROM: Katja Wolfe, Library Director

DATE: August 8, 2024

SUBJECT: Library Report for July 2024

SERVICES



6582 Visitors

96 New Members



545 Computer Sessions

628 AWE Sessions

6566 WiFi Sessions



159 Room Reservations

393 Hours of Use

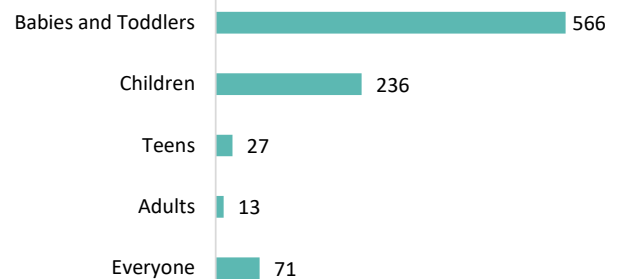
PROGRAMS AND EVENTS



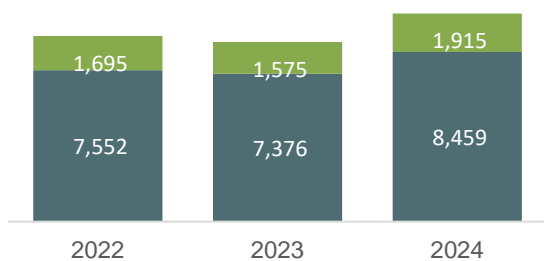
913 Participants

62 Programs

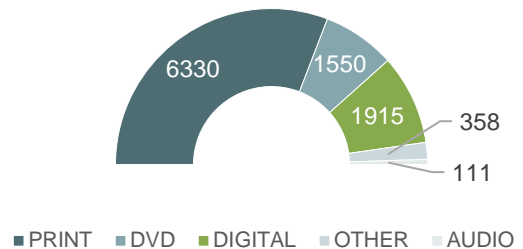
Program Attendance



CIRCULATION



■ Physical Checkouts May ■ Digital Checkouts May



■ PRINT ■ DVD ■ DIGITAL ■ OTHER ■ AUDIO



KENAI

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MEMORANDUM

TO: Mayor Gabriel and Council Members

THROUGH: Terry Eubank, City Manager

FROM: Tyler Best, Parks and Recreation Director

DATE: July 15th.

SUBJECT: **Mid-Month Report-July**

The month of July kicked off with a huge 4th of July parade. While the Chamber is the main sponsor of the event, the Parks and Recreation staff help set up tents, set out extra trash cans, tables, and bathrooms, and clean up when the event is over.

After the 4th of July, the Parks department starts setting up the PU fishery. While the Parks department leads the PU fishery, it includes all departments at the City. This year, we had an amazing summer with great internal communication and coordination. A dip net report will be submitted to the Council later this fall.

The Kenai Adult Softball Association Held its Annual Fire Cracker Tournament, where teams from all over the state came to play on the Steve Shearer Memorial Ball Fields. This tournament has become a staple event for teams across the state.

During the PU Fishery, the Kenai River Wolfpack Rugby Club held their Annual Dipnet Fest Rugby Tournament, where over 15 teams from around the state attended and 1 women's team from Milwaukee! This Club embraces the dip netting theme in Kenai and attaches dipnets to the rugby field goal post (see photo attached)

Kenai Recreation Center Visits – Month of July

| | |
|---|-------------|
| Weight Room/Cardio Room | 1148 |
| Wallyball/ Racquetball Court | 207 |
| Gymnasium & Other (not including rental parties) | 1469 |
| Total Number of Visits | 2700 |
| Total Gym Rental (Half & Full Court) Hours | 26 |





MEMORANDUM

TO: Mayor Brian Gabriel and Kenai City Council
THROUGH: Terry Eubank, City Manager
THROUGH: Max Best, Interim Planning Director
FROM: Beth McDonald, Planning Assistant
DATE: August 14, 2024
SUBJECT: Planning and Zoning – July 2024 Monthly Report

General Information

- Planning Director job posted and open until filled.

Public Inquiry

See attached report.

Application Summary

- Lands - See attached report.
- Leases – See attached report.
- Planning & Zoning – See attached report.

Code Enforcement and Compliance

In June, Planning and Zoning received three (3) new complaints and five (5) cases were closed. There is a cumulative total of nineteen (19) open cases.

Due to other priorities, the implementation of the code enforcement solution was temporarily placed on-hold.

Planning and Zoning Commission

Zero (0) public meetings were held in the month of July.

Public Inquiries

August 14, 2024 | 15:16:06

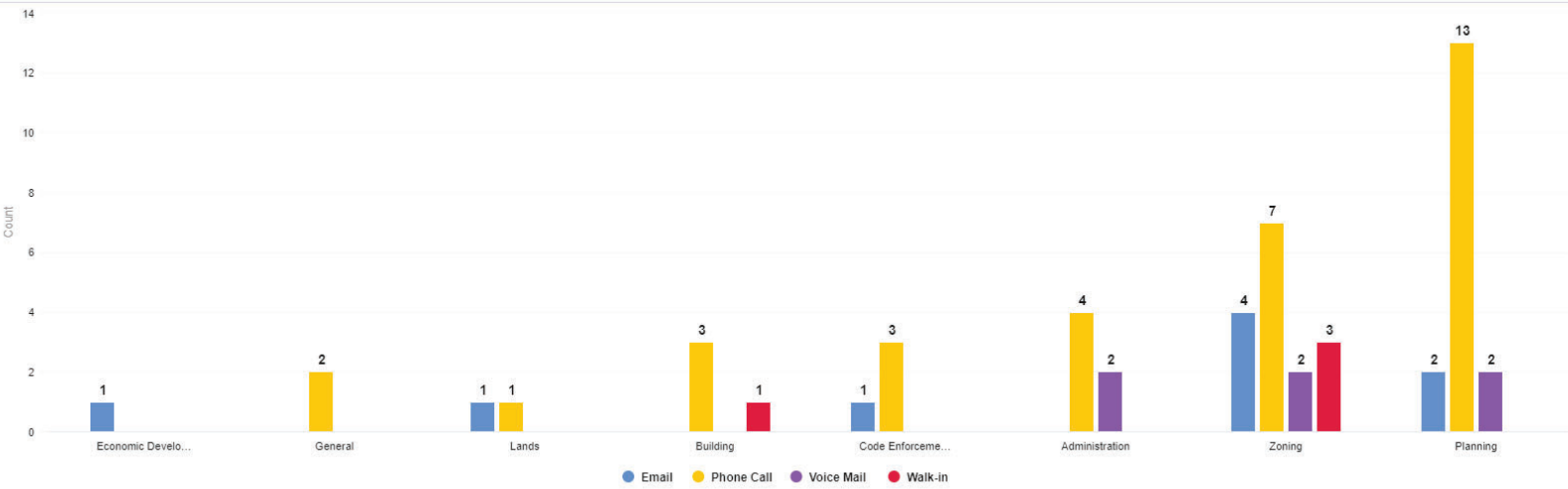
Average Days to Respond to a Public Inquiry

2.508

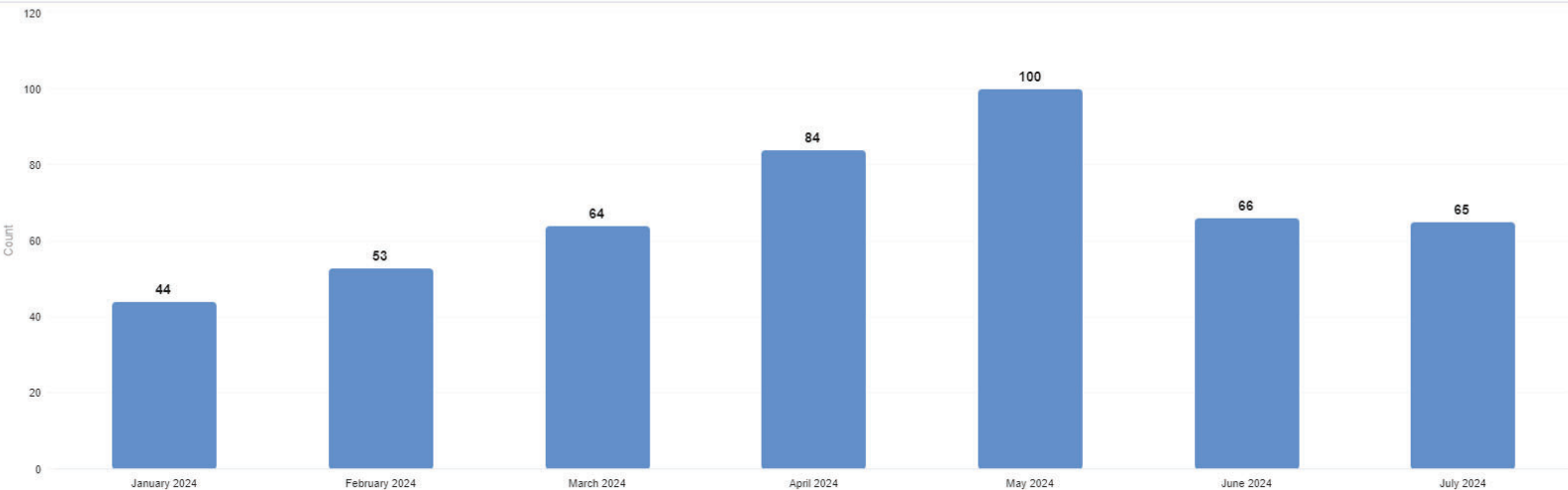
No. of Public Inquiries

65

No. of Inquiries by Department/Division and Contact Type

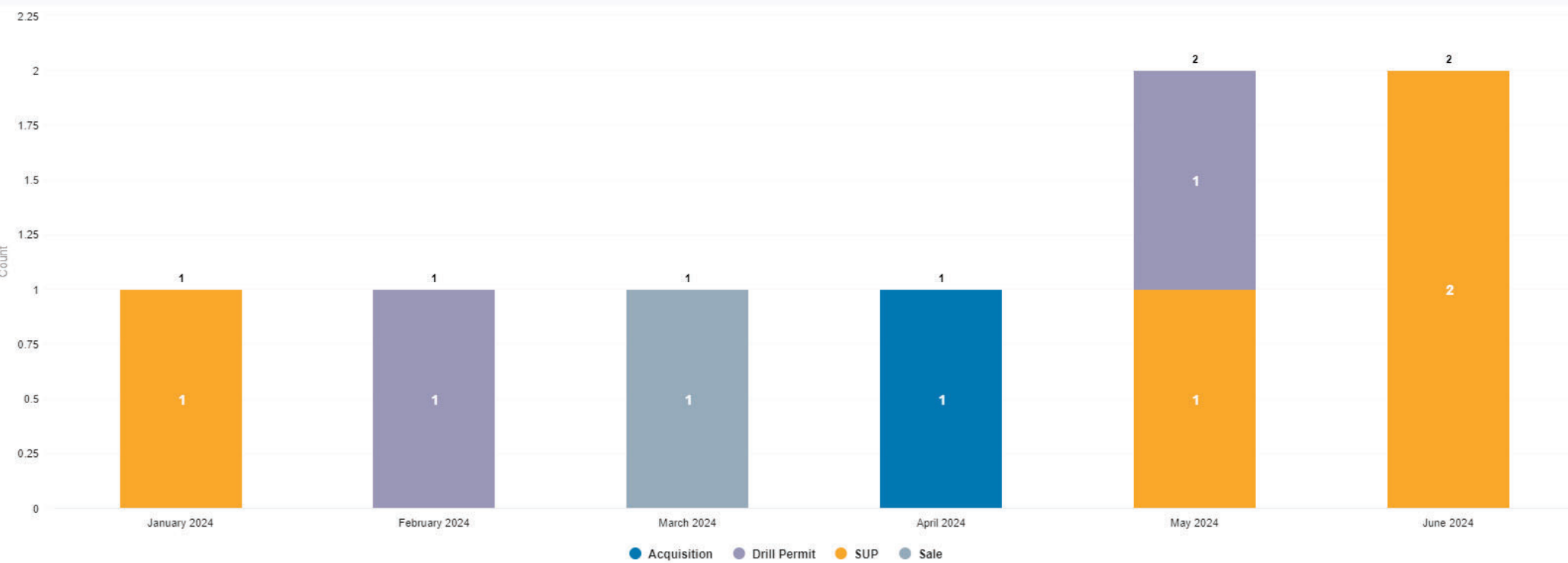


Year-to-Date: No. of Public Inquiries by Month



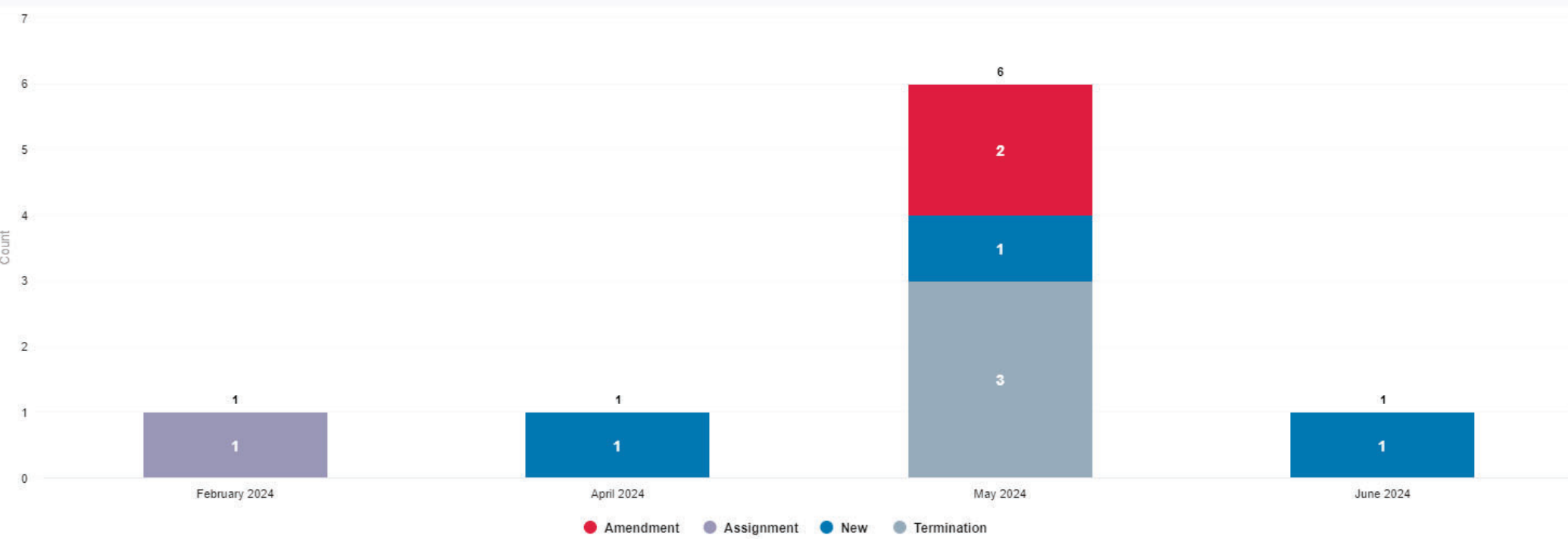
YTD Land Applications

August 14, 2024 | 15:21:53



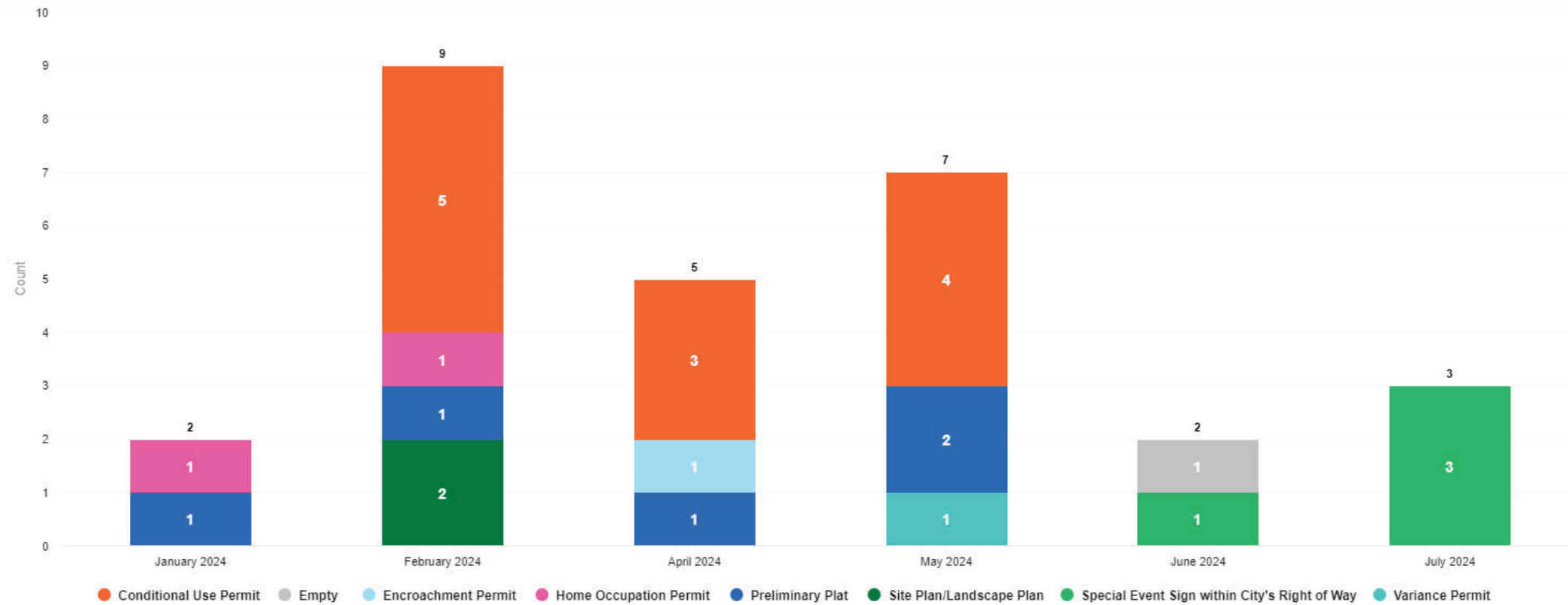
YTD Lease Applications

August 14, 2024 | 15:22:30



YTD Planning Applications

August 14, 2024 | 15:18:59





KENAI

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MEMORANDUM

TO: Mayor Brian Gabriel and Kenai City Council

THROUGH: Terry Eubank, City Manager

FROM: David Ross, Police Chief

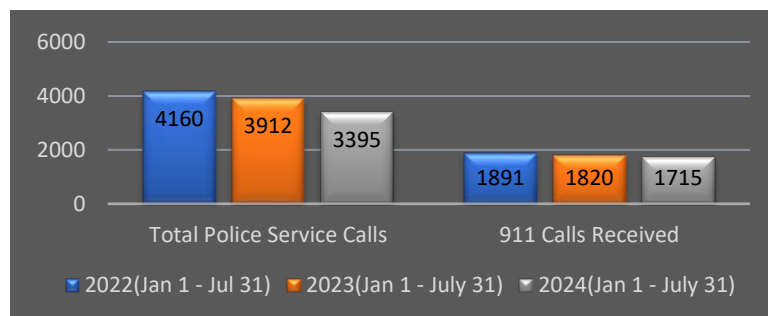
DATE: August 5, 2024

SUBJECT: Police & Communications Department Activity – July 2024

Police handled 663 calls for service in July and 320 calls were received by dispatch via 911. Officers made 33 arrests. Traffic enforcement resulted in 135 traffic contacts with 50 traffic citations issued and there was 1 DUI arrest. There were 22 reported motor vehicle collisions in July and one involved drugs or alcohol.

One new officer completed field training and is working on his own. Two new dispatchers continued in field training for the month of July. One Temporary Enforcement Officer (TEO) left employment with the City early in order to take full time employment elsewhere. The four remaining Temporary Enforcement Officers prepared for the dipnet season and worked additional hours to help cover for the vacancy. One officer left employment with Police Department in July and a recruitment began for a police officer.

The Police Department is developing a UAS (Unmanned Aircraft Systems / Drone) program and currently has four officers that are licensed pilots and one UAS. The UAS is anticipated to be used in support of official law enforcement and public safety purposes, in addition to the potential support of other City Departments.





KENAI

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MEMORANDUM

TO: Mayor Brian Gabriel and Kenai City Council
THROUGH: Terry Eubank, City Manager
FROM: Scott Curtin, Public Works Director
DATE: August 2024
SUBJECT: **Mid-Month Report; Public Works / Capital Projects**

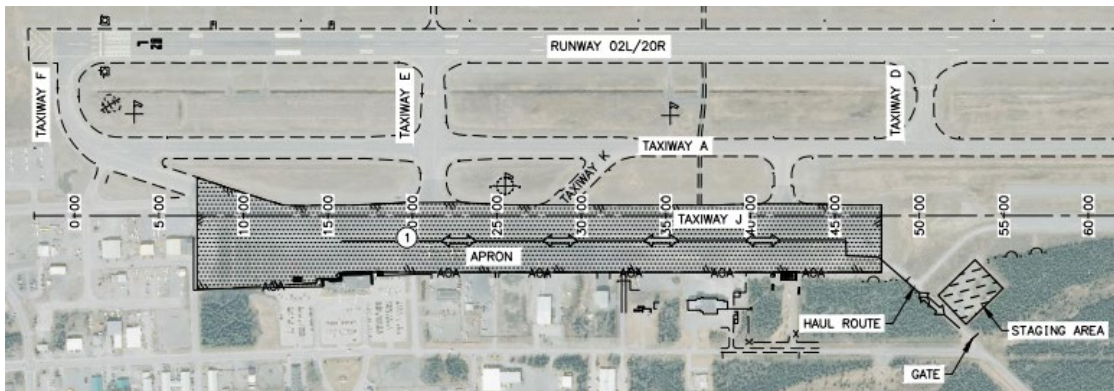
Airport Fund Projects:

- Kenai Municipal Airport Runway Rehabilitation Project – Currently in Preconstruction Design Phase, with HDL Engineering Consultants currently under contract at a total to date cost of \$1,132,886. This project known as Task 4 within HDL Engineering Consultants LLC term service agreement will provide bid ready construction documents to rehabilitate Runway 2L/20R as well as Taxiways A/B/C/D/E/K/L/M under a second construction phase. Work is approaching 65% design completion as of July 31, 2024. On April 1, 2024 the City received the Environmental Investigation Report conducted by Shannon & Wilson. On May 20th, 2024 a microsoft teams meeting was held in coordination with DEC representatives where the environmental report was reviewed. On a good note the water and soil sampling conducted at the airport did not find PFAS above actionable levels. It was requested by DEC to conduct additional sampling in several ditchline locations to determine if any restrictions would be necessary within those areas. The additional sampling work will take place during the summer months. The project continues toward a grant application in 2025 and dependent upon timing of receipt of grant funds ground breaking may not be until spring 2026 for the runway and 2027 for the taxiway. *A contract amendment to HDL is pending in the amount of \$48,987 to cover the additional DEC requested PFAS sampling. Project continues on time.*
- Kenai Municipal Airport (KMA) Terminal Landscaping Project – Moore's Landscaping was the successful bidder at a total contract amount of \$94,733 as approved by Council on June 5th, 2024 through passage of Resolution 2024-22. Earthscape LLC provided the landscape design at a cost of \$28,255 and has completed their contracted efforts. A Preconstruction meeting was held at the site on July 29th, 2024. Construction is scheduled to start on August 5th and is expected to take approximately three weeks to complete. Fund raising for the bronze bears will continue and will complement the work if and when they become available. *Photos below are from August 14th, work continues on time and on budget.*





- Kenai Municipal Airport (KMA) Operations Building HVAC Controls Upgrade & Boiler Replacement Project – This project will replace existing mechanical equipment including boilers, pumps and controls that have reached the end of their intended life cycle. Project was not originally started as being grant eligible, however after coordinations with Airport Managers past and present as well as our FAA counterparts, the project is now grant eligible at a 65% FAA and 35% City of Kenai financial cost share. Grant funds are now available, and the project was formally released for construction bids on July 23, 2024 with bids due on August 13th. *Orion Construction was the successful bidder at a total bid of \$699,400. Council can expect Ordinance 3428-2024 at the August 21st meeting to accept these grant funds and award a construction agreement. Project is anticipated to run seven months to completion.*
- Kenai Municipal Airport (KMA) Apron Crack Seal and Seal Coat Project – Currently awaiting grant funding to enter construction bid phase. HDL Engineering Consultants currently contracted at a total of \$121,730 in support of the project has finalized the construction bid documents. The project is awaiting FAA receipt of their anticipated cost share funding which will be delayed until first quarter 2025. Assuming funds become available at that time the project will bid in March 2025 for a May 2025 construction start. Map below defines the anticipated project area.



- Kenai Municipal Airport (KMA) Master Plan Update – Staff has received word from the FAA that grant funds are now available for this project. Ordinance 3425-2024 is being introduced on August 7th with a double reading planned for enactment the same day to meet the FAA's grant application deadlines to secure the funding. Phase 1 work will continue over the next



year. HDL Engineering Consultant's initial contract to date will be \$729,445. Airport Master Plans are typically updated approximately every ten years to clearly communicate the direction of the airport. Completion of this work allows the City to continue to coordinate and receive federal grant funds in support of airport operations. *Execution of contract documents is underway.*

General Fund Projects:

- USACE Kenai Bluff Bank Stabilization Project – *Currently in the construction phase.* This project encompasses approximately 5000 lineal feet of coastal bluff starting at the mouth of the Kenai river extending upriver along the northern river bank. The bluff in this area varies from 55'-70' above the toe. A protective armored rock berm with a crest elevation of approximately 12' in height is planned. The Design and Bid phases have now concluded and Construction is anticipated to continue through the 2024 & 2025 construction seasons. Milestones to date listed below.
 - This project was formally released through USACE for Construction Bids on 11/29/23 with a Pre-Bid Meeting conducted on 12/12/23.
 - On February 7th, 2024 the City received word from USACE that Western Marine Construction Inc, based out of Seattle, Washington was awarded a construction contract for \$19,321,000 as a firm fixed price. There is an additional construction element related to an inspection path that was requested, by the City and our design team, to be included within the project. That element will cost \$864,000 and will be funded 100% by the City. The larger amount has a 90/10 cost share split with the City share costing \$1,932,100 + \$864,000 for a total anticipated City share of \$2,796,100, USACE total cost share of \$17,388,900.
 - Western Marine Construction Inc was provided a Notice to Proceed on February 20, 2024.
 - The Initial Construction Kick-off Meeting took place in Anchorage on March 28, 2024. Contractor currently is not anticipated to mobilize to the site until spring 2025.
 - Formal Ribbon Cutting Ceremony was well attended on June 10th, 2024.
 - Rock Production continues in Sand Point, AK and is anticipated to be completed by October 1st with all rock materials needed stockpiled. Photo below is from rock production activities in July 2024 at the Sand Point location.
 - *August 12th, 2024 Construction meeting held in Anchorage at HDR's facility. Rock production continues. Discussions around measurement of settlement as rock is being placed was a primary discussion item for the team. Coordination with PacStar and bouy placements within the river for next year are underway to avoid conflicts next year. Project continues on time and on budget.*





- Community Wildfire Prevention Plan (CWPP) Mitigation Project Phase One – Doug Koch Professional Tree Service contracted with the City on February 28, 2023 in the amount of \$282,000 to mitigate 105 acres within the no name creek drainage extending from Redoubt Avenue down to the City's North Beach through Municipal Park. Phase One work is now completed and paid for. As this is a phased project grant closeout will extend for some time until the other phases are fully completed.
- Multi-purpose Facility Project – Design documents have now been completed and were received on May 30, 2024. MBA Consulting Engineers have completed their work at a total cost of \$30,580. Design work covers ventilation, lighting, bleacher radiant heating. Currently project estimates exceed budgeted amounts. The department is coordinating with the administration on next steps. We will likely be bidding the ventilation and radiant heating components later this summer, with additional fund raising to complete the lighting portions of the project. *No new update at this time.*
- Cemetery Expansion – This project is located at the corner of First Ave and Float Plane Rd and will provide for additional burial space as the existing adjacent cemetery has reached capacity. The Public Works Department using in house personnel has already cleared, leveled and graded the site, and placed and compacted gravel sub-base for the parking area. Staff has successfully surveyed in 64 adult plot sites and 12 infant plot sites. These sites are



available through the Clerk's office. Cemetery Phase 2 Fencing was completed in the fall 2023 by AAA Fence, Inc at a total cost of \$147,595. Nelson Engineering has completed the site paving plan and this work is expected to bid in August 2024.

- Softball Shelter Dugouts – Larsen Engineering has been awarded the design work for the dugouts. Design requirements are being discussed with the engineer, however this project is moving slowly as staff and engineer are heavily involved in other projects. Project will move forward shortly as staff time becomes available. Parks & Rec Director and Public Works Director had phone conference with design engineer on April 30th. Draft plans were received on May 30, 2024, final comments are expected to be incorporated prior to June 30, 2024. The Streets Department in order to stretch available funding for the project will be demolishing the existing structures in late August 2024 and will excavate and install new foundation gravel base pad for each structure. Project will then be on hold until first quarter 2025 when the project will be released for construction bids with an anticipated construction start of May 2025.
- Lilac Ln. Roadway Improvements Project – Construction contract documents are routing for final signatures as of June 12th. To date Nelson Engineering has completed their design efforts at a total cost of \$38,840. Peninsula Construction, the successful bidder at a total cost of \$637,765, as approved by council on June 5th through passage of Ordinance 3420-2024. Construction mobilization is anticipated for the week of June 24th with work expected to continue through the summer months. Map below highlights the project area.



Bury pit excavation at Sta 15+00



Organic bury pit material

- Cemetery Creek Culvert Replacement – Currently on hold in design phase awaiting grant funding. This project is in coordination with the US Fish & Wildlife. Work involves replacement of several aging culverts with fish passage type culverts. 35% design documents have been completed and will be used to apply for grant funding. Documents have been provided to the Kenaitze and Salamatof tribes to assist with grant opportunities.



On July 11, 2024 representatives from the Kenaitze tribal association met with the Administration and discussed upcoming grant opportunities to be pursued in support of this project. As of July 31, 2024, nothing new to report.

- Community Wildfire Prevention Plan (CWPP) Mitigation Phase Two – Currently in construction phase. Doug Koch Professional Tree Service was the low bidder on this project that was released for bids on November 1, 2023 with bids due on November 29, 2023. His bid in the amount of \$177,700 to mitigate 84.75 acres within the Cemetery Creek drainage extending from Float Plane Basin down to the Lee Shore Center. Resolution 2023-67 awarded the project. Work will continue throughout the next year. Contractor was out of state for some time, Contract was fully executed on January 29, 2024. Contractor is anticipating starting work in February 2024. To date 45 of 85 acres has been mitigated with much of the airport side of the project now complete with the drainage extending down Spruce St. Work will be shut down for a period over the summer months and will start back up as temperatures subside.
- Public Safety Building Tower Guy Wire System Upgrade – This project will provide improvements to our existing communications tower located at the Public Safety Building to allow additional components to be mounted to the tower. Procurement for this work has been challenging as they are few companies performing this work in state. Resolution 2024-37 will be introduced on August 7th, 2024 for approval for a construction contract award. If approved this work is expected to be completed prior to the winter months. *Execution of Contract documents are now in process.*

Water & Sewer Fund Projects:

- Lift Station Renovations – Currently in design phase. Resolution 2021-58 awarded HDL Engineering agreement in the amount of \$59,560 to provide bid ready construction documents for three lift stations. These locations included the stations at mile posts 13 and 14, which are near the soccer fields and Spur / Redoubt Ave respectively, as well as a station on Lawton Drive. These locations are intended to receive new pumps and pump control panels as part of this project. After determination of which lift stations would receive renovations to start, a design meeting was held on 12/3/21 to discuss pump and control panel design. Basis of design memo received on January 6, 2022. Design documents are approaching 95%. Design is finally approaching completion. Challenges with our current SCADA team required some changes to different lift station controllers which has now been resolved. Supplemental funding will be needed to complete these three locations, staff is working on finalizing those estimated costs, with upcoming legislation to be expected. Construction expected for summer 2024. Resolution 2024-16 in the May 15th council packet is transferring funds in support of this project.
- Wastewater Plant Digester Blowers Replacements – Currently awaiting finalization of grant application to enter construction bid phase, funds are available. HDL Engineering was authorized to proceed on design documents for this project through passage of Resolution



2022-29 on May 18, 2022. Design Agreement is currently in the amount of \$382,513 and will provide bid ready construction documents for the replacement of two 40+ year old blowers at the WWTP. The Department received 35% Design Study Report on September 23, 2022 and the project is currently moving toward 65% design documents. A grant for this project has been applied for through Senator Murkowski's office through the Congressional Directed Spending (CDS) program. We are awaiting word on if we were successful in receiving grant funds. This is a high priority project for the department and is anticipated to provide further energy savings similar to the aeration basin blower replacement project completed a few years ago. Final 65% plan reviews are being conducted on site with HDL on 12/19/22, bid documents are expected to be ready 5/1/23 and if funding is in place will be bid immediately, if not will be delayed until funding arrives. Environmental review process is delayed as we are not sure of the grant requirements at this time, and may not know until a future grant is executed. Until then this will be a shovel ready project waiting on funding. May 5th a Community Grants Webinar was held to discuss the pending grant requirements, the Public Works Director and HDL Engineering participated in the webinar. Consultants are reviewing requirements and hope to have the design moving forward shortly. Project will not be able to be bid until funding formally arrives. Design team is actively working with granting agency. Construction expected for summer 2024. This project is behind schedule due to difficulties with grant application process, staff is working to remedy. HDL Engineering is actively working on environmental requirements associated with the application.

- Water Treatment Plant Pumphouse – *Grant application was successfully submitted to DEC on April 30th, 2024.* This project will construct a new pumphouse building and provide replacement distribution pumps for the City's Water System. On August 1, 2023 received letter that the State of Alaska Department of Environmental Conservation (ADEC) has awarded the City of Kenai a \$1,200,000 loan through the state's revolving fund program and that the loan would receive 100% forgiveness in support of this project. Resolution 2023-56 was approved by Council at the September 20, 2023 Council Meeting to allow access to these funds. Ordinance 3384-2023 is being introduced 12/20/23 to move funding into place for the design work to proceed. HDL Engineering Consultant's pending design agreement as detailed within Resolution 2024-14 up for council approval at the April 17, 2024 meeting totals \$187,461. Currently working on additional grant requested environmental paperwork and financial statements.
- WWTP & WTP Electronic Access Gate & Controls – On August 13, 2023 HDL Engineering provided a proposal under their term agreement to begin design work on the Electronic Access Gates projects at both the Water and Wastewater Plants. The project identified as Task 13 under their agreement has a proposed design cost of \$24,902. Design work will continue over the winter months for construction to take place summer 2024. HDL working under purchase order 127771 is now actively working on this project. *No new update.*



Senior Citizens Fund Projects:

- Senior Center Front Entry Modifications – Capital Project Manager has completed the construction bid documents for this work, which is now under review. This work will make repairs to the automatic doors entering the facility.

Other Projects Informational:

- DOT Kenai Spur Highway to Sports Lake Rd – This project continues to wait for appropriation of state funds. Reached out to DOT staff on September 13, 2023, no new information provided at this time. *Update July 31, 2024: this project, listed as no. 92 under STIP ID 30549 linked here <https://publicinput.com/stip/#tab-53339>*
- DOT Bridge Access Road Bike Path – Council passed Resolution 2021-53 on August 4, 2021 authorizing the City Manager execute a memorandum of agreement with DOT for design, construction, and maintenance of the Kenai Bridge Access Road Pathway project. In speaking with representatives from DOT the state has not provided funding as yet for this project to move forward. To date the City has appropriated \$294,947 in support of this project which is intended to provide a 1.2 mile path connecting the paths between the Spur Highway and Beaver Loop. Total cost of project per DOT estimates equals \$3,266,301. Per communications with the DOT, design funding is in place and they are waiting on final signatures for the Reimbursable Services Agreement (RSA) with DNR. Once the RSA is approved they will be able to begin design work. Process is expected to be completed by the end of January. *Update:* Formal kickoff meeting took place on March 30th with the City Manager and Public Works Director in attendance. From appearances this design process will be a slow one, we are not anticipating seeing construction on the path this calendar year. Will continue to update as more information becomes available. *Update:* A site meeting will be taking place between the City, DNR, & DOT on 6/9/22 to review the project. HDL Engineering appears to be conducting surveying services in support of the project, crews were in the area on 6/7/22. On June 29, 2022 the City Manager & Public Works Director met with DOT representatives and discussed projects. State funding continues to be an issue. Reached out to DOT staff on September 13, 2023, no new information provided at that time. *Update:* this project, listed as No. 126 under STIP ID 33038 is listed as programmed for STIP 24-27 with funds indicated within the 2025 construction season on the States website <https://publicinput.com/stip/#tab-53339>
- DOT Kenai River Flats Pedestrian Improvements – *Update:* This is a new project listed on the States website, identified as project No 91 under STIP ID 33039 at the link above as well. Intended to construct a walkway along the banks of the Kenai River for ADA compliant access. This project is listed for 2024 construction within the STIP 24-27 program.



publicinput.com/stip/#tab-53339

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Alaska Department of Transportation and Public Facilities > Final STIP 2024 to 2027

ALASKA DEPT. OF TRANSPORTATION & PUBLIC FACILITIES

2024-2027 STIP
(STATEWIDE TRANSPORTATION IMPROVEMENT PROGRAM)

Translate

2024-2027 STIP with partial approval Vision Framework for Transportation Dig Deep Jan. 19, 2024 Submission of 2024-2027 STIP

Feb. 2024 FHWA and DOT&PF Correspondence 2024-2027 STIP Revisions **Amendment #1 Open For Public Review** Draft 2024 - 2027 STIP Amendment #1 Projects

STIP Amendment #1 Documents Now Available for Public Review and Comment!
Public Comment Portal Open Below--Public Comment Extended to Monday, Aug. 5, 2024

Public comment open for Amendment #1 from Wednesday, July 3 through Monday, Aug. 5, 2024.
Comments received after Aug. 5, 2024 will be considered in subsequent public comment periods.

STIP Narrative: [Alaska DOT&PF 2024-2027 STIP Narrative](#)

STIP Amendment #1 Volume 1: [STIP 24-27: Volume 1 PROJECTS and PROGRAMS IN THE 2024-2027 STIP \(alaska.gov\)](#)

STIP Amendment #1 Volume 2: [STIP 24-27: Volume 2 ADOPTED BY REFERENCE \(alaska.gov\)](#)

Documents

- 02.12.2024 2024 - 2027 STIP FHWA FTA Joint Federal Planning Finding (Transmitted 021224).pdf
- 02.12.2024 2024-2027 Alaska STIP FHWA Planning Finding Transmittal Letter 020924 (Transmitted 021224).pdf
- 02.16.2024 Alaska DOT&PF Tier 1 Communication to FHWA.pdf





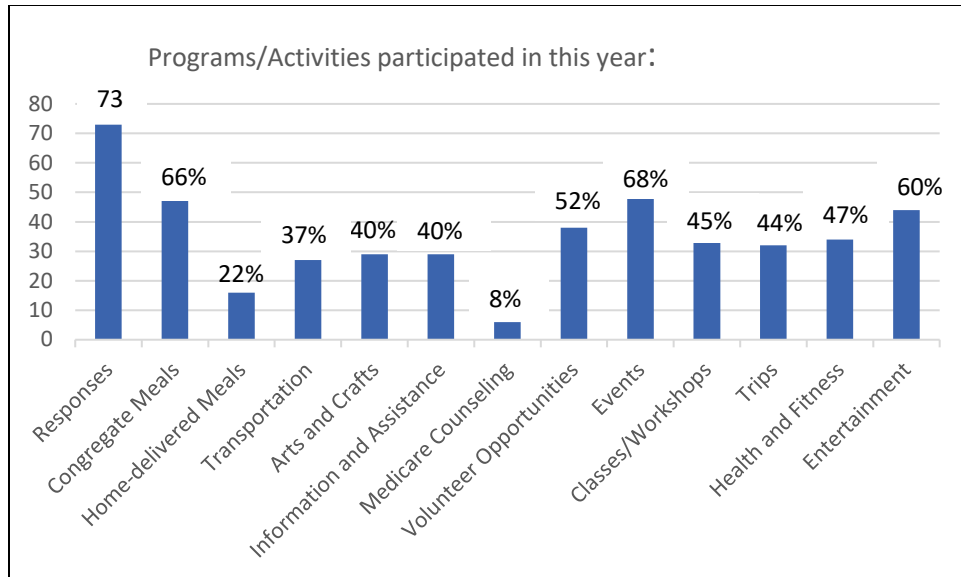
MEMORANDUM

TO: Mayor Brian Gabriel and Kenai City Council
THROUGH: Terry Eubank, City Manager
THROUGH: Kathy Romain, Senior Center Director
FROM: Astrea Piersee, Administrative Assistant III
DATE: August 1, 2024
SUBJECT: July 2024 Monthly Report

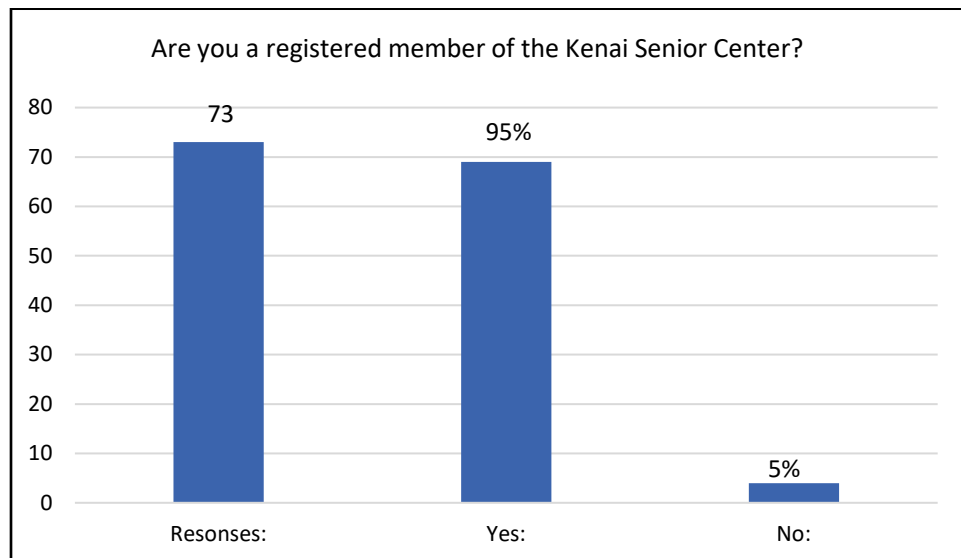
July was a whirlwind of activities, beginning with the Fourth of July fundraiser at the Kenai Park Strip. Volunteers sold pies, biscuits and gravy, and various craft items made at the Senior Center. Seniors enjoyed trips to the Princess Lodge Restaurant in Cooper Landing for a no-host dinner and to Whittier for the 26 Glacier Cruise. Thursday trips to the Nikiski Pool have resumed, and the Center has started hosting Grace Acres Farms' produce stand on Mondays. Anyone can purchase produce and goods from the stand, and seniors with farmers market coupons can redeem them for fresh produce. July was also the close of the Client Satisfaction Survey. (See the attached findings.)

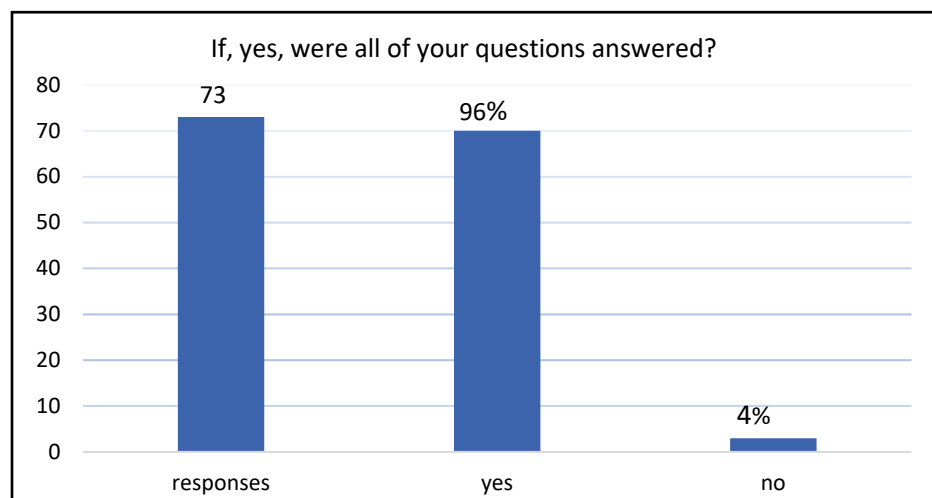
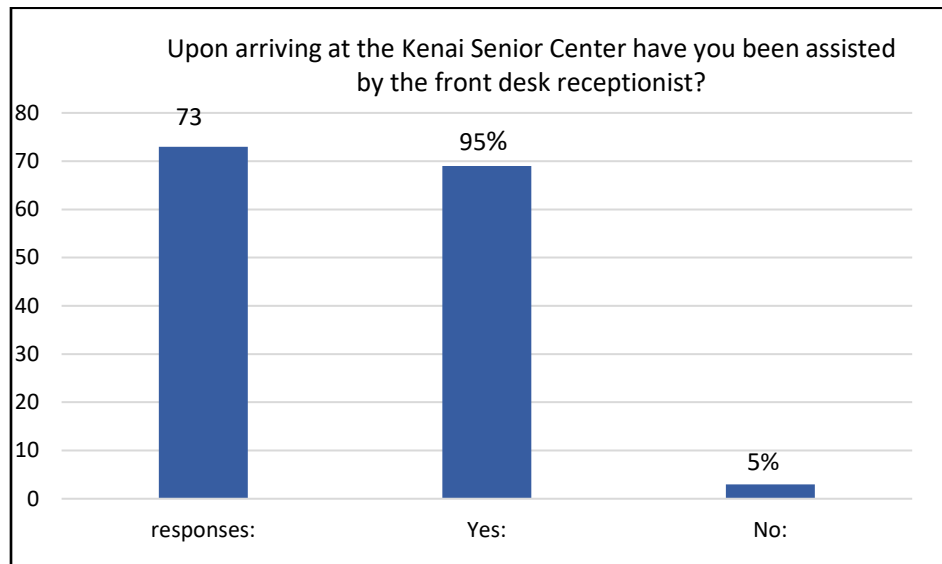
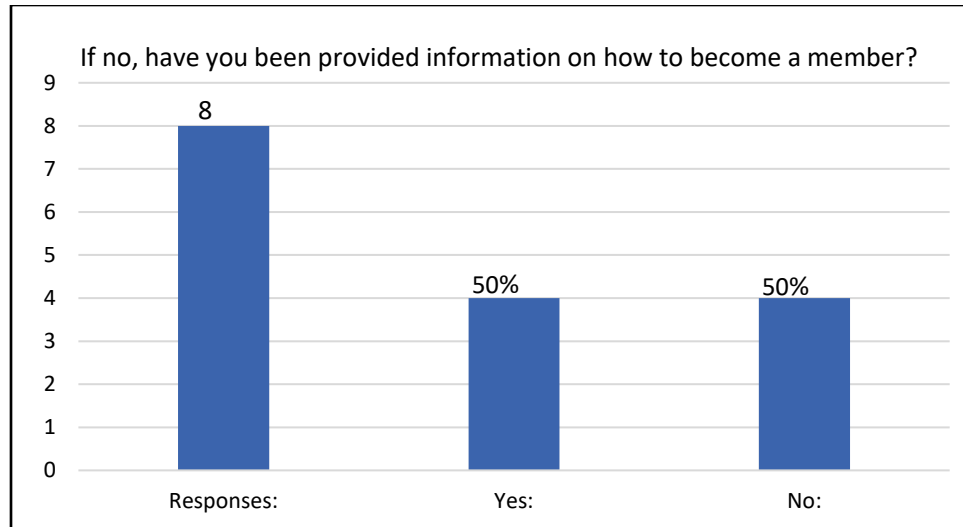
| | 2024 | 2023 |
|--------------------------------|-------|------|
| Home Delivered Meals | 1925 | 1667 |
| Individuals | 90 | 88 |
| Dining Room (Congregate) Meals | 1084 | 1197 |
| Individuals | 162 | 147 |
| Transportation (1-way rides) | 231 | 218 |
| Individuals | 38 | 30 |
| Grocery Shopping Assistance | 14/15 | 6/60 |
| Writers Group | 24 | 33 |
| Caregiver Support Group | 11 | 15 |
| Growing Stronger Exercise | 362 | 344 |
| Tai Chi Class | 41 | 25 |
| TOPS Weight Loss Class | 70 | 29 |
| Bluegrass & Music Sessions | 56 | 76 |
| Card Games | 139 | 123 |
| Wii Bowling | 13 | 28 |
| Arts & Crafts | 39 | 54 |
| Total Event Sign-ins * | 2081 | 1973 |
| Individuals * | 208 | 206 |
| Vintage Pointe Manor Vacancies | 1 | 0 |

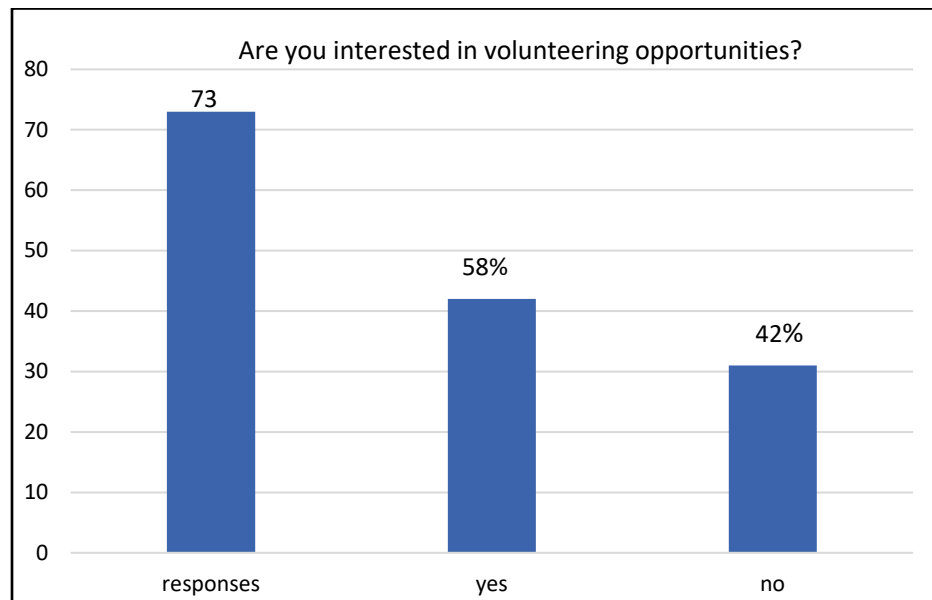
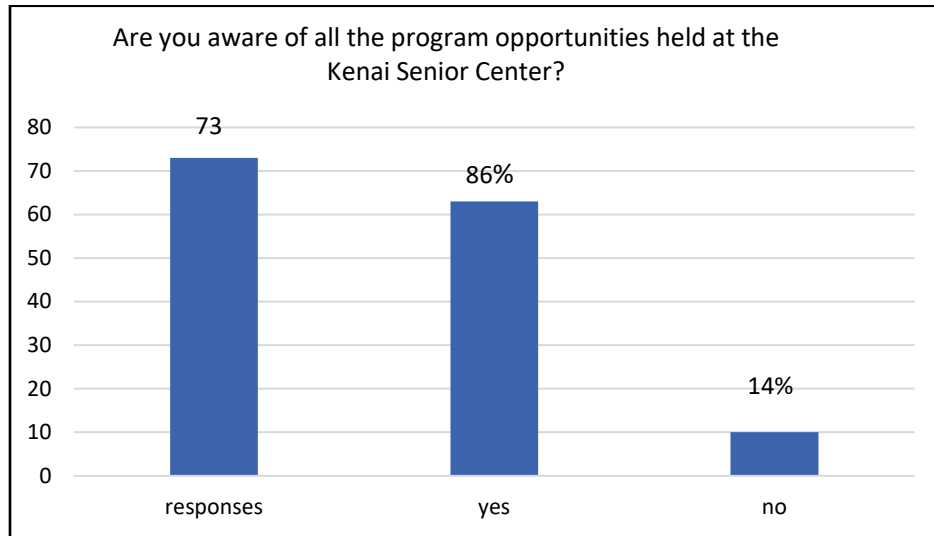
* (not including home meals clients)

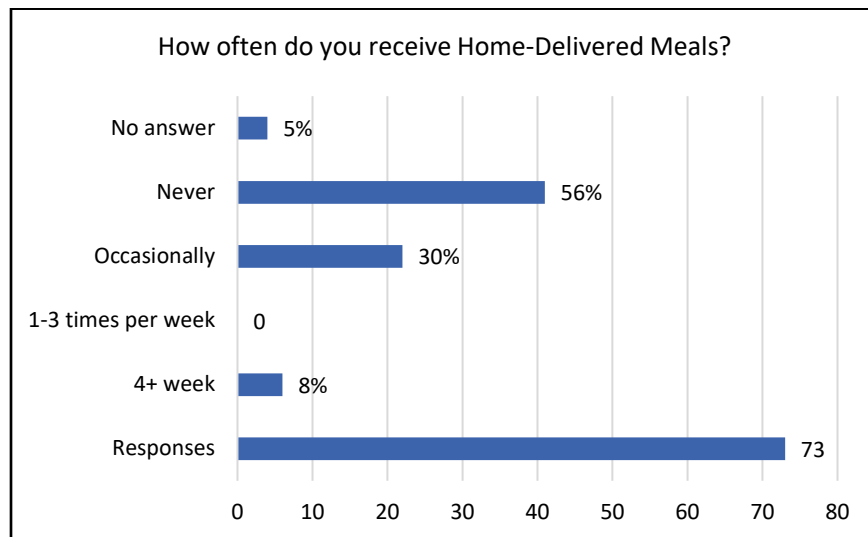
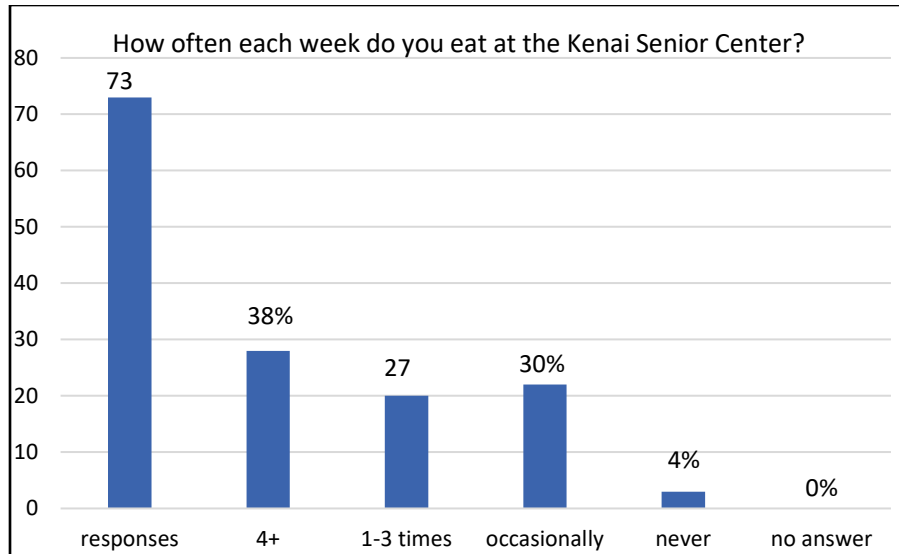


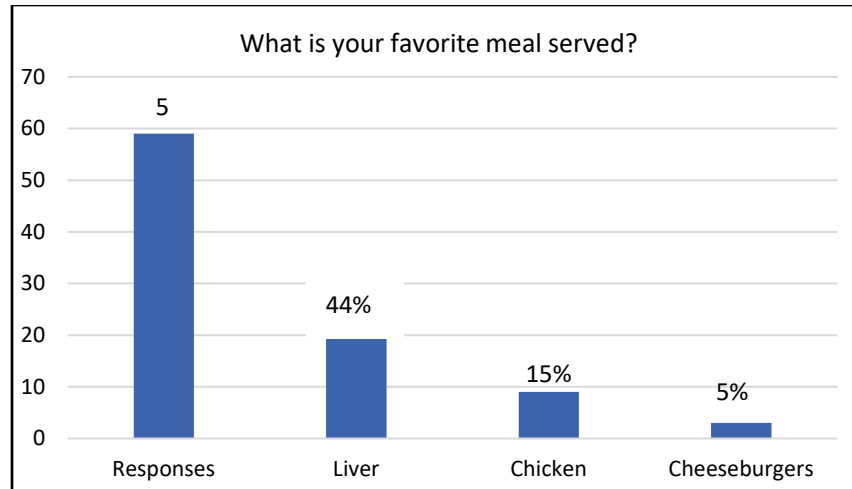
99% of those completing and returning the Client Satisfaction Survey were of the target population of 60 years of age and older. Again, this year in addition to mailing, providing in-person surveys, and having them attached to the monthly newsletter, a link to Survey Monkey was also provided. 9 individuals utilized this modality to submit their survey electronically.





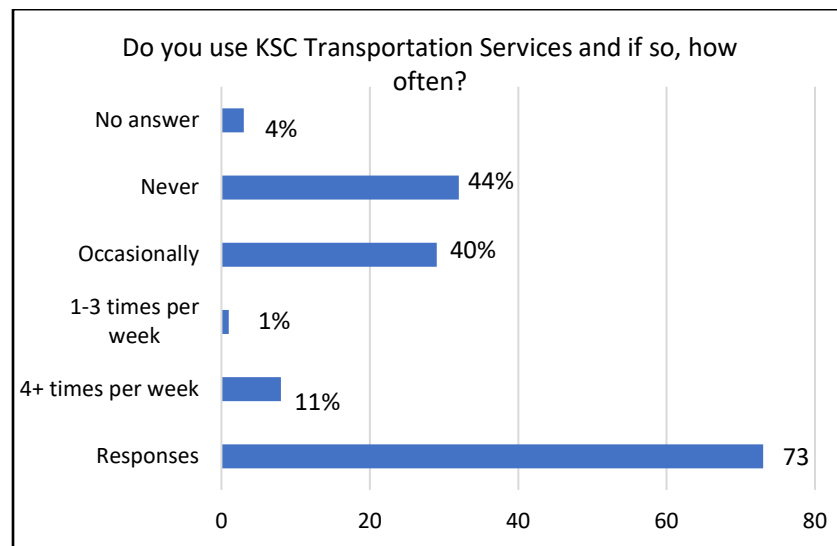


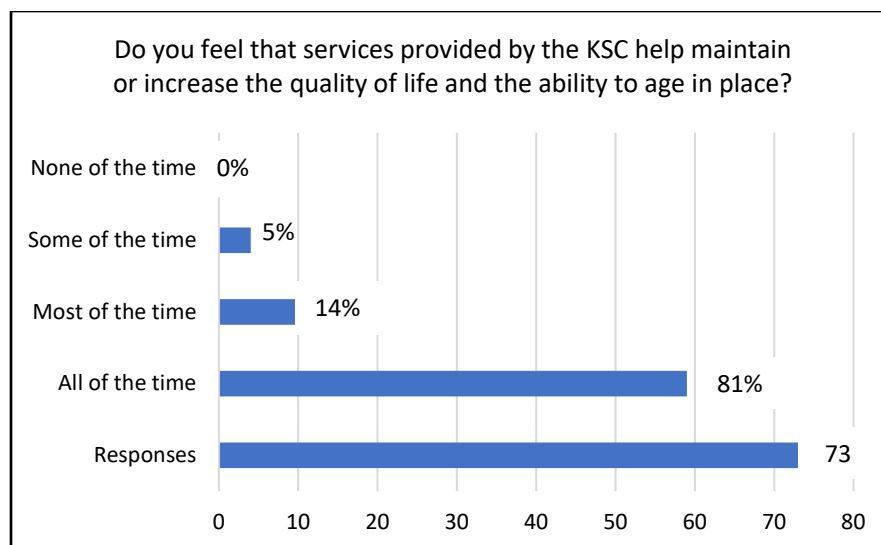
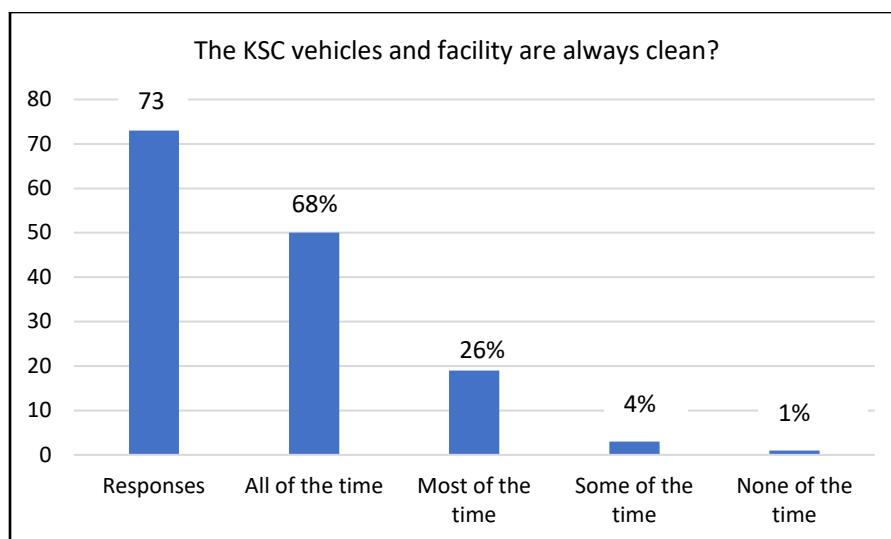
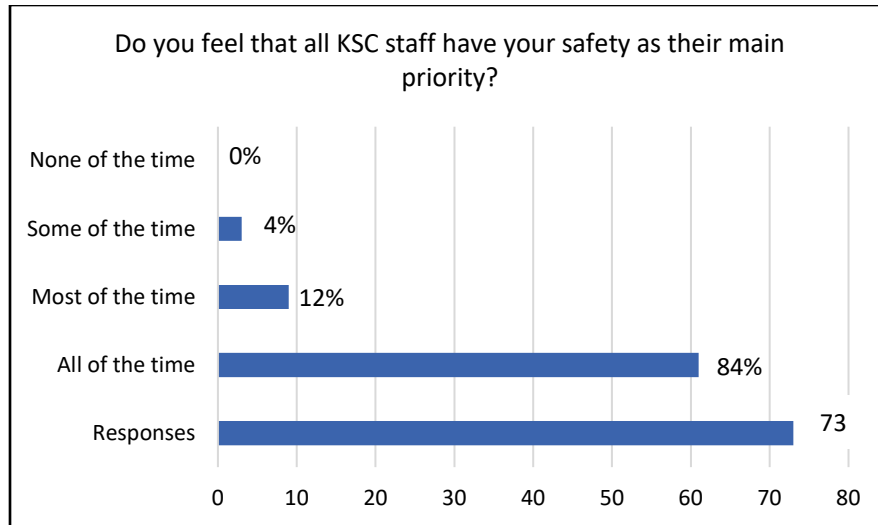


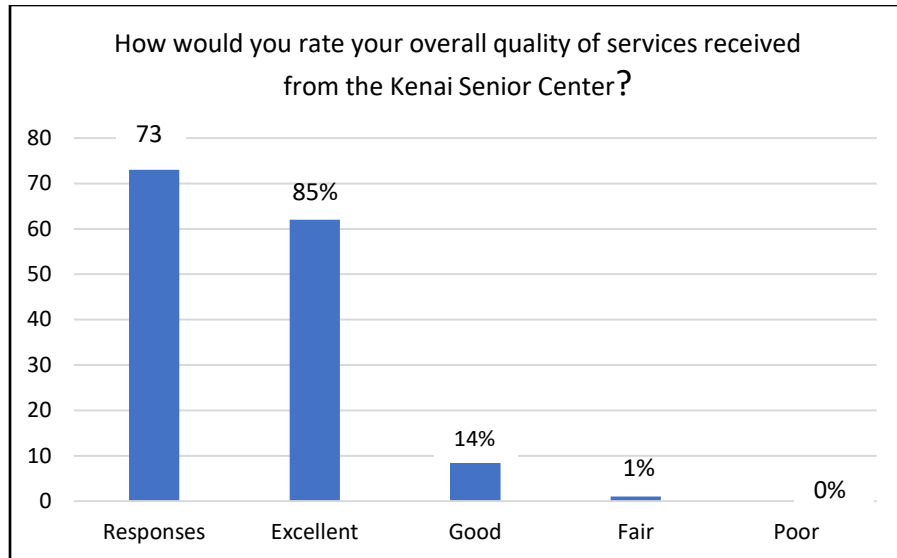


Other honorable meal mentions:

- Salads (both green and pasta)
- Homemade soups including Clam Chowder
- Meatloaf
- Swedish Meatballs
- Turkey and all the trimmings
- Mexican foods







What activities do you participate in?

- Meals and Dining: Lunch, No Host Dinners, Meals on Wheels fundraiser, Waffle Fridays, and High Tea.
- Social Events and Gatherings: All social events, fellowship, visiting old friends, coffee time, and Kayla's Jokes.
- Games and Puzzles: Games, Puzzles, Card making, Bridge, Pinochle, Cribbage, Dominoes, Hand and Foot, and Bingo.
- Crafts and Hobbies: Sewing, Crafts, Drawing and Painting by Numbers, Writing Group, Genealogy, Skits, and sewing projects.
- Music and Performance: Choir, Music-related activities, Concerts, Dances, Johns Music, and Bluegrass Jam.
- Exercise and Fitness: Exercise programs, Growing Strong, Fit and Strong, Chair Yoga, and Workouts in the mornings.
- Trips and Outings
- Support and Educational Opportunities: for caregivers, educational opportunities, and support groups
- Volunteer and Community Activities: Volunteering for decorating, events, fundraisers, serving others
- Other Activities of mention: Use of the Library, Senior Connection, overall fellowship, special events, movies, and Council on Aging.

What activities would you like to see at the Kenai Senior Center?

- How to preserve memories: Write story of "My" history for children.
- Photography and more computer classes.
- More walks and guided hikes.
- Trips to Seward (Exit Glacier), Fairbanks, and the Iditarod.
- Perhaps some men activities?
- Zumba.
- Senior Prom Night and dances.

Do you have any cost saving ideas?

- Turn down the heat.
- I don't eat dessert, serve some lunches without dessert.
- Cut down the size of the Centerline.
- Give the option of just a soup or salad.
- Get rid of single serving butter.
- Raise money-provide matching grants for donation, something to motivate more donations.
- Smaller serving sizes for people that need more options.

Comments:

- Provide an alternative for vegetarians; Simple meal provide a choice of a salad vs what's on the menu.
- KSC adds quality to our lives. The staff is very delightful. I am very appreciative of their cheerfulness and willingness to be pleasant.
- Love to come and see people.
- It is a joy to volunteer there - Exceptional Staff!
- After prayer everyone should stand up for the Pledge of Allegiance.
- Sometimes the salad is a little sad looking, might need dunked in cold water??
- What trips are we going on this year?
- The staff at the Kenai Senior Center are always so helpful and always provide assistance with all my questions and needs.
- Kenai Senior Center has fun and up lifting entertainment and wonderful programs for seniors to enjoy.
- KSC is a big part of my life in Kenai. The meals are wonderful!
- I love having access to the computers.
- The entire staff are loving and caring, happy, great attitude to be around folks. Love them.
- Thank you, City of Kenai, for caring for us seniors.
- Need more help at the front desk.
- Please have the parking lot painted. Thank you. You are the best.
- I love the trips the best. Wish we could do this in the winter. Where is the blueberry festival?
- I am looking forward to a future here.
- Love it!
- Great place to meet friends.
- I suspect that when the bus line starts up more seniors will come into town. Are you ready?
- I would like to go to Hope, Anchorage, Seward?
- I think the staff and all volunteers are really great.
- Always learning things.
- Love coming to the Kenai Senior Center.
- Kitchen Staff great, friendly, food wonderful.
- Thank you for being there. Really appreciated.
- This is the best senior center! Each and every staff member puts forth so much effort to do a great job. I appreciate all of their efforts.
- I am very grateful for services received.
- Last year we missed the thanksgiving meal because we could not find a place to park. I have suggested having a second seating or have a shuttle run from an offsite parking lot. I hope either of these will be considered. Also, for those of us that like to pick up a meal a short-term parking lot spot closer to the front would be appreciated.
- Beautiful location, lovely staff and volunteers, excellent food.
- It's always great to be at the Kenai Senior Center.
- This center is like no other in friendliness and accommodating our needs.